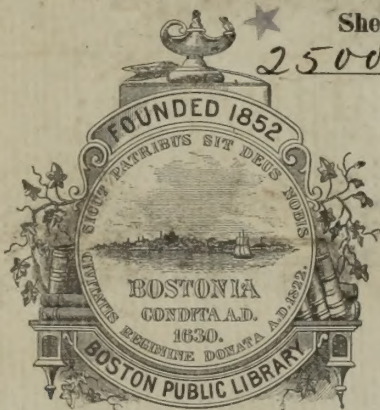
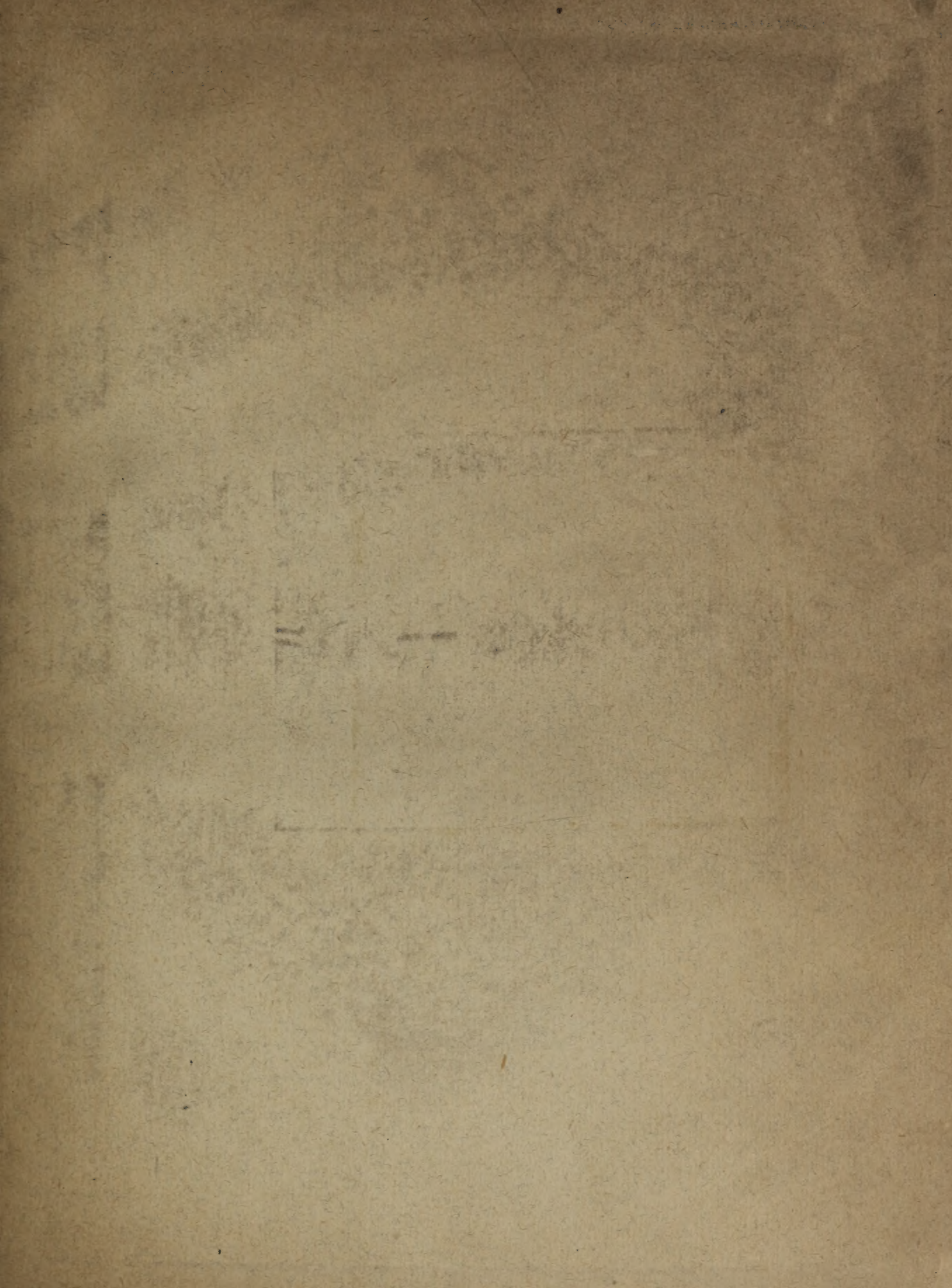


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Engraved by C. Pye.

HUGH OLDHAM, D.D. BISHOP OF EXETER,
The Founder of the Free Grammar School in Manchester.
From the original Portrait at Corpus Christi College, Oxford.

To the Rev. T. Edw. Bridges, D.D. President of Corpus Christi College.
This Portrait is very respectfully inscribed by

his most Obedient Servants.

The Agnew & Jos. Zanetti.

THE EPISCOPAL SEE OF MANCHESTER.

THE
FOUNDATIONS OF MANCHESTER:

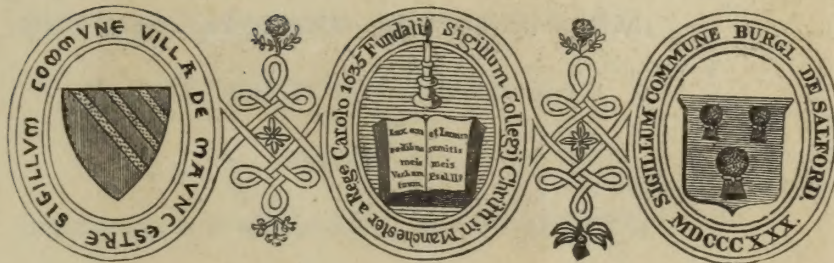
COMPRISING

THE COLLEGE AND COLLEGIATE CHURCH,

THE FREE GRAMMAR SCHOOL,

AND

CHETHAM'S HOSPITAL.



VOLUME THE THIRD.

MANCHESTER:
THOMAS AGNEW, REPOSITORY OF ARTS,
EXCHANGE-STREET.

MDCCCLXVIII.

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272,347

Jan. 3, 1880

TO
THE RIGHT REVEREND JAMES PRINCE LEE, D.D.,
LORD BISHOP OF MANCHESTER,
AND TO THE
VERY REVEREND GEORGE HULL BOWERS, B.D.,
DEAN,
THE REV. CECIL DANIEL WRAY, M.A.,
THE REV. OSWALD SERGEANT, M.A.,
THE REV. RICHARD PARKINSON, B.D.,
THE REV. ROBERT COX CLIFTON, M.A.,
CANONS
OF CHRIST'S COLLEGE, MANCHESTER,
THE FOLLOWING
HISTORY OF THE FOUNDATIONS OF MANCHESTER
IS MOST RESPECTFULLY INSCRIBED,
BY THEIR VERY OBEDIENT SERVANT,
THOMAS AGNEW.

NOTICE OF THE PUBLISHER.

The Prefatory Address which follows is that of the year 1830.

The Preface suggested by the fresh issue of the original three Volumes, with the addition of a fourth or Supplementary Volume, will be found in Vol. IV.

ADVERTISEMENT.

ON laying the following History of Manchester School before the Public, it is expedient to offer some remarks in explanation of the plan that has been adopted in its compilation, and in acknowledgment of the assistance received from the various sources whence the materials have been drawn.

On the first view of the subject, it was thought the most convenient method would be to follow a chronological order of arrangement, similar to that used in the History of the Collegiate Church ; by which means, an Account might be given of the Foundation, and thence continued down to the present time, noticing, as it proceeded, the various incidents, bequests, and appointments, in strict order as they occurred. To this, however, many objections were urged, and it was found that an Index would, perhaps, have been necessary. To put the History, therefore, into a compendious, and, at the same time, a concise form, and to leave out nothing material, it was resolved to divide it into sections, comprising the different departments, in such a way, that each department might be at once referred to under its particular head, and the whole might assume a more regularly descriptive Account.

With this view, the book has been divided into six chapters ; containing 1st, Some Introductory Observations, and a Memoir of the Founder ;—2dly, An Account of the Foundation ;—3dly, Of the Revenues and Expenditure ;—4thly, Of the Exhibitions and Scholarships ;—5thly, Of the Feoffees, with Biographical Notices ;—and 6thly, Of the High Masters ; and of various Eminent Individuals educated at the School ; with some concluding Remarks.

It had long been the intention of the Rev. Dr. Smith, the present High Master of the School, and Rector of St. Anne's, to have given the Public an Account of this interesting Foundation ; and he had applied himself extensively, during the leisure of many years, in making the necessary and various collections for that purpose. Finding, however, the materials

increasing rapidly on his hands, and that his numerous duties and professional avocations would, for some time to come, effectually prevent his attending so closely as the nature of the task required, as soon as the determination of writing the History of the School was intimated to the Public, he most liberally offered the use of his papers and memoranda ; —To this Gentleman, therefore, the Publishers have been much obliged by the contribution of many useful notices relating to the Foundation ; particularly, by the loan of his Lists of the Exhibitioners who have enjoyed the School allowances to the Universities ; by a complete Series of the Feoffees and High Masters ; by his permission to transcribe the Foundation Charters of the School ; and by the use of a valuable MS. Volume, formerly the property of the Rev. Henry Brooke, M.A. late Fellow of Manchester College, and one of the High Masters, containing a very interesting Account of the various Trials at Law, between the Feoffees and the Inhabitants, respecting the School Mills.

To Thomas Markland, Esquire, the Publishers also offer their best thanks for the supply of papers relating to the Hulme Exhibitions, and for complete Lists of the Exhibitioners to Brazennose College, Oxford ;—to the Rev. John Lodge, M.A. Principal Librarian of the University of Cambridge, for his communication connected with the Magdalen Scholarships ;—to the Rev. Dr. Bridge, President of Corpus Christi College, Oxford, for allowing an examination of the Register of his College ;—and to the Rev. Robinson Elsdale, M.A. the Second Master of the School, for his readiness in making several necessary applications for information, they are also much indebted.

From Mr. Carlisle's Description of the Grammar Schools of England and Wales ;—the Report of the Commissioners appointed by Parliament concerning Charities ;—from Wood's *Athenæ Oxonienses*, and from various other manuscripts and printed Works much useful information has been taken ; and to these materials an original Memoir of the Founder, and numerous biographical and explanatory notes have been added, with a view of rendering the Book both useful and amusing.

MANCHESTER, June, 1828.

THE HISTORY OF MANCHESTER SCHOOL.

CHAPTER I.

INTRODUCTION AND MEMOIR OF THE FOUNDER.

WITHOUT proper schools for the Education of youth, provided with teachers, and under suitable regulations, it is impossible that learning can flourish to any extent in any country.—It is probable, therefore, that the Aborigines of Britain had their seminaries prior to the subjugation of the island by the Romans;—and of this supposition there is abundant mention both in the Greek and Roman writers of antiquity.

Under the early Roman government of Britain, in the days of Julius Agricola, great attention was paid to the cultivation of learning, and the greatest efforts and persuasions were employed to reconcile the conquered province to the arts and sciences of Rome.

With this view, the young nobles were instructed in the Latin language; their former tutors, the Druids, were dismissed; and the Roman tongue, at length, became an indispensable branch of liberal education, and was universally understood and spoken throughout the country.

From the end of the first, to the middle of the fourth, century, learning continued to exist; but, on the arrival of the Saxons, a nation more addicted to expeditions of plunder than the pursuit of science, its last remnants were nearly lost, and its last sparks extinguished in the profound and continued darkness of piracy and warfare.

On the introduction of Christianity into Britain, education again revived, and those who had embraced the tenets of the Cross, applied themselves to study with considerable success; and in the seventh century, several schools were established for their instruction, the most illustrious of which was that founded by St. Augustine, in the city of Canterbury.

The importation of books, chiefly from Rome, at a vast expense, and the foundation of libraries and seminaries in the palaces of the monarchs, the episcopal seats, and monasteries, now quickly succeeded; and so extensive were the collections of literature, in different parts of the country, that they excited at once the envy and desire of the Emperor Charlemagne and of France.

Under the Danish invasion, however, England was once more doomed to witness the devastation and destruction of her seminaries, in common with the other institutions of the kingdom; and so effectually was the war of extermination carried forward, that scarcely one of them was left unconsumed.

From the accession of Alfred, in 871, to the commencement of the tenth century, many and various attempts were again made to restore the cultivation of letters. The monastic and episcopal schools, in which reading, writing, and church music only were taught, it became absolutely necessary to re-construct, in order to furnish a supply of youth fitted for the discharge of the church offices, and the management of the secular affairs of the different orders and societies, into which the clergy had branched and divided.

But, although these renovated schools were sufficient to avert the total extinction of literary knowledge among the Christian clergy, in those dark times, yet they contributed but little to the improvement of the sciences, or the diffusion of learning among the laity, who were left almost entirely without the means of acquiring the least acquaintance with literature.

Alfred, therefore, was under the necessity of instituting schools, on a very different and more extensive system: in which all the known sciences might be taught, and where the laity, as well as the clergy, might be properly instructed; and hence arose the foundation of our two Universities, the most illustrious seats of learning in the world.

At the conquest of England by William the First, in the middle of the eleventh century, the Norman dialect became the medium of communication, and the Norman clergy were promoted to the ecclesiastical government of the kingdom. In the twelfth and thirteenth centuries, the episcopal and cathedral schools were better regulated, and more extended, and the Bishop, who was hitherto commonly the chief, if not the sole, teacher, in the seminary, now appointed men of learning from the Universities, to superintend the tuition of youth, and rewarded them with certain estates or prebends, assigned for their support.

These "Scholastics of the Diocese," as they were called, were settled in all cathedrals, and had the superintendence of the schoolmasters, and the general direction of education. Besides these institutions, considerable schools

were, at this period, established at the residences of the chief nobility, and in the cities and towns of England, in which were taught not only reading, writing, and grammar, but the rudiments of rhetoric, logic, and theology.

In the fifteenth century, the invention of printing completed the triumph of learning over barbarism and ignorance; and, within thirty years prior to the Reformation, it is observable that there were more Grammar schools founded and endowed in England, than had been established in the three hundred years preceding.

After the dissolution of the monasteries, education diffused itself generally among the great body of the people, and this important object very soon became a measure of general policy.

Early in the sixteenth century, “Manchester School” was founded;—and, it is to be regretted, that the following scanty memorial of the life of the right reverend prelate, to whose piety and munificence the youth of these towns have been, during a period of more than three centuries, indebted for their principal source of instruction, comprises all that can be collected respecting so amiable and excellent a character.

Hugh Oldham, L. L. B., Lord Bishop of Exeter, descended of an ancient family of that name, was born, according to Wood* and Godwin†, at Manchester, but, according to Dodsworth,‡ at Oldham, in a house still standing in Goulbourn-street, soon after the middle of the fifteenth century.^a

He was, in all likelihood, brought up in the household of Thomas, first Earl of Derby, and placed under the tuition of one Westbury, “an Oxford man,” (retained by the Countess Margaret, for the express purpose of instructing “certayn yonge gentilmen at her findinge,”) together with her step-son, James Stanley, afterwards Bishop of Ely, and William Smyth, Bishop of Lincoln; with the latter of which prelates, he enjoyed, during his life, an uninterrupted friendship, founded on habits of intimacy and great mutual respect.

* *Athenæ Oxonienses.*

† *De Præsulibus.*

‡ *MSS. Fol. 152.*

^a The Lordship of Oldham was originally in the possession of the Radcliffes, under whom the progenitors of the Bishop of Exeter held, and from which place they had their surname:—part of the property, it appears, was alienated, on the marriage of one of the daughters and coheirresses of Matthew de Oldham to John de Cudworth, in the reign of King John, and from a branch of the family of this Matthew, doubtless, the bishop was descended.—Of his immediate connexions, however, I find no particulars, excepting that a Bernard Oldham occurs in Le Neve’s *Fasti*, as Archdeacon of Cornwall, 16th of December, 1509, and Treasurer of Exeter, 5th April, 1515; most probably on the Bishop’s presentation.

At the proper period he was sent to Exeter College, Oxford, where he received part of his education, and, afterwards, thence to Queen's College, Cambridge, where he completed his studies, and took his degrees.

His first preferment appears to have been the church of St. Mildred, in Bread-street, in the city of London, to which he was admitted on the 19th of September, 1485.^b

In 1493, he was made Canon of the Royal Chapel of St. Stephen, Westminster, and presented by his Patroness the Countess of Derby, through the interest of his friend Smyth, who stood high in her confidence, to the Rectory of Swineshead, in the county of Lincoln,^c and, on the 4th of July, next year, to the valuable living of Cheshunt, in the county of Hertford,^d on Smyth's resignation, who had previously enjoyed it, and was admitted Prebendary of Litchfield Cathedral.

In 1495, he was elected Master of St. John's Hospital, in Litchfield, presented to a stall in Salisbury Cathedral,^e and nominated one of the Countess's chaplains.

On the 11th of March, 1496, he was collated to the Prebend of Stoke Newington, in Middlesex ;^f and, in 1497, to a stall in Lincoln Cathedral ; in January, 1499, he was presented to the hospital of St. Leonard, in the town of Bedford ;^g in March, to the church of Wareboys, in the diocese of Lincoln ;^h

^b Hugo Oldham Cler. admiss. ad Eccliam S. Mildrede Brede Strete Lond. die 19 Sept. 1485 ad pres. Pri. and Conv. B.^e Mariæ de Suthwere

Reg. Lond. Kemp.

^c Margareta Comitissa Richmond. presentat Magistr. Hughonem Oldham Cler. ad Eccliam de Swinesheved dioc. Linc. p. mort. ult. Rect. die 3 Feb. 1493

Autogr. in Reg. Epi. Linc. Ap. Buckden.

^d Magistr. Hugo Oldham Canonicus libere Capelle Regie Scti Stephi in Westmon. coll. ad Eccl. de Cheshunt per consecr. Willi. Epi. Cov. & Lich. die 22 Jul. 1494

Reg. Hill Epi. Lond.

^e 1504. 23 Feb Ecclia. prebendalis de Gillingham vac. per resig. Hug. Oldham.

Reg. Audley Epi. Sarum.

^f 1496. 11 Martii. Magistr. Hugo Oldham coll. ad preb. de Newington per mort. Magri Rici Lichfield Archidi. Middlesex.

Reg. Savage Epi. Lond.

^g 1499. 12 Jany. Magr. Hugo Oldham utr. juris Bacc. Pbr. pres. ad Hospital, S. Leonard, in Bedford per resign. Magr. Bernard Andree

Reg. Smith Epi. Linc.

^h 1499. 31 Martii. Magr. Hugo Oldham Pbr. presentatus per Abb. and Conv. de Ramsey ad Eccle de Wareboys per resig. Magri Tho. Hutton.

Reg. Smith Epi. Linc.

and, in August following, was made Prebendary of South Cave, in the church of York,ⁱ being at that time Bachelor of Laws.

On the 17th of August, 1500, he received, from the Abbot and Convent of Ramsey, the Rectory of Shitlington, in the diocese of Lincoln;^k on the 2d of April, 1501, he became Rector of Overton, in the diocese of Winchester;^l in 1504, Archdeacon of Exeter; and, by a continuation of the same interest, on the death of Arundel, the last Bishop, he was elected to the See of Exeter, by Bull of Pope Julian, dated the 5th kal. of December, (Nov. 27.)—He received licence of consecration on the 29th of December, and was restored to the temporalities on the 6th of January, in the next year.^m

The Bishop seems to have been of a pious and liberal disposition:—Living in the closest friendship with William Smyth, the good Bishop of Lincoln, to whom he was indebted for his early advancement, and, perhaps, for his future success in life:—the executor of that unblemished courtier, Sir Reginald Bray, Knight of the Garter, “a man of exalted wisdom and resplendent piety:”—and the supervisor of the will of Thomas, second Earl of Derby;—he could not but imbibe the charitable and liberal feelings which had pervaded their great minds, and had, in so eminent a degree, proved beneficial to the succeeding generation.

Yet, although by habits of amity and a gentle disposition, he was much inclined to peace and quietness, Oldham possessed sufficient courage and determination to assert and defend his rights; and his quarrel with the Abbot of Tavistock, and his junction in the common cause with Fox, Bishop of Winchester, against the prerogative of Warham, Archbishop of Canterbury, amply attest this fact.

He contributed the sum of six hundred marks in money to the building of Corpus Christi College, Oxford, besides other property, in lands; and made a handsome donation to Brazennose, by furnishing the original library; and, to the church of Exeter, in lands, at Totness, in Devonshire.

ⁱ 1499. 26 Aug. Hug. Oldham Ll. B. admissus ad Preb. de Southcave in Eccl. Ebor.

Regr. Ebor.

^k 1500. 17 Aug. Magr. Hugo Oldham utriusq. Juris Bacc. pres. ad Eccl. de Shitlington per Abb. and Conv. de Ramsey per mortem Dni Joh. Raven.

Reg. Smith Epi. Linc.

^l 1501. 2 Apr. Dñs Hugo Oldham Rector ecclie de Overton cum Capellis de Pollhampton &c. dioc Winton.

^m Breve Regis de Restitutione tempālium Exon per mort. Johis ult. Epi. dilecto Magistro Hugoni Oldham ejusd. Eccl. electo T. R. apud Knoll vj die Januar. reg. 20. 1505.

Rymer XIII. 112.

Having held the See rather more than fifteen years, he died on the 25th of June, 1519,ⁿ and was buried in the chapel he had erected in Exeter Cathedral, where a splendid monument was erected to his memory, bearing the following inscription :—

Hic jacet Hugo Oldham Eps
q. obiit XXV die Junii
Ano Dñi Mill.^o CCCCC.^o XIX.^o
cuj.^s animæ p̄cietur Deus.

His will,^o dated the 16th Dec. 1518, and proved the 16th July, 1519, is deposited in the prerogative court of the Province of Canterbury, Richard, Bishop of Winchester, and Thomas, Bishop of Salisbury, his suffragan, being his principal executors.

Bishop Oldham had a sharp contention during his episcopacy, with the Abbot of Tavistock, respecting his right of visitation; and the question having been referred, in the first instance, to the Primate and the Bishop of London,

ⁿ Anno 1519. 25 Junii. D. Episcopus in palatio suo Exon. ab hac luce migravit, sepultus in capella sua;

Reg. Exon.

^o In the name of God, Amen. In the yere of our Lord God M D Xviiij the xvj day of Decembre I Hugh Byssshop of Excettor make my testament in this manner folowyng firste I bequethe my Soule to God our Lord and to all Sayntes. And yf I dye w.^{thin} the diocesse of Exon my body to be buried in the Southe parte of Seynt Peter's Church in Excettor in the Chapele that I have caused there to be made and hallowed in the honour of my Lord God Seint Saviour. And if I dye without the dioces of Excettor than I wyll my body to be caried to Oxford there to be buryed in Corpus Christi College that my Lord of Wynchester hath caused there to be made. And if my goodes will not suffyce to bring me to Oxford than I will my body to be beryed in the next College Church or religious house of Monkes or Canons. Item. I will that in the chapele that I have caused to be made in Excettour Church oon of the Vicars choral there say masse dayly for ever w.th a colytte for my Soule. I have provided for my obit fyve marks yerely. Also I will that Rychard Bysshoppe now of Wynchestre be prayed for as well in the course masse as in the said obitt by the hoole Queere. And also among the Vycars severally to whom the said Richard hath been a specyale benefactour in stablyshing them togedir in theyr Comons. To the house of the Grey ffriers in Excettour xl.^s for an obitt.—xl.^s to the house of the Black ffriers. I name to be myn Executours Rychard Bysshop of Wynchestre Thomas Bysshop of Salubriens my Suffragan Master John Veysey Dean of Excettor Mr. Hugh Asshton Canon resident in the Cath. ch. of Yorke Mr. Robert Weston Subdean of the Cath. ch. of Excettour—Master Nicholas Henshaw and Roger Hetton my Servant. My obitt to be kepte in Corpus Xti College. Mem. I gyve to Corpus Xti College in Oxford all such houses Lands and Tenements Rents reversiones w.thhall other appurtenances lying in Chelsea which I bought of Reynold Braye whereof the Dedes remayne w.th Stephen Coope to have and to hold to the same College for ever by the ordinaunce of my Lord of Wynchestre—

Probat. xvj Jul. 1519.

MONUMENT OF HENRY WILKINSON, BISHOP OF LONDON
and Founder of the first grammar school in London



This monument stands under the west window of a Chapel erected by George Selwyn
at the south east angle of the south side of the choir in London Cathedral

in the 10th Year of the reign of George III

Master of the free grammar school of St. Dunstons

The plate is most interestingly inscribed by his Abbot Selwyn

The Architect is J. G. Smith

and, again, to the Court of Rome, the circumstance has given origin to a ridiculous tradition, that, *as he could not be buried in the chapel, his remains were deposited in the chapel wall.*^p

OF THE FOUNDATION.

It appears that the Bishop of Exeter had already, during the latter part of his life, erected a Free School, upon a site near the present College of Manchester, the boundaries of which are expressly specified in the Foundation Charter and Schedule annexed, executed by Hugh and Joan Bexwyke, on the 1st of April, 1525, 16th of Henry the Eighth, and, for the endowment and

^p This contest has been variously related ; but the following facts, from the Register of Exeter Cathedral, may be depended upon :—

On the 12th of July, 1505, Oldham addressed a letter to Abbot Bonham, signifying his intention of visiting the Abbey of Tavistock, on the ensuing 10th of September. To this the abbot offered, at that time, no opposition. Subsequently, however, he denied the bishop's right of visitation, alledging that it had occurred "*incuriâ et negligentia suâ, et suorum predecessorum.*" Upon this, he was cited before Dr. Richard Collet, the bishop's commissioner, to answer to the charge of contempt of episcopal authority. The abbot, instead of explaining the occasion of his conduct, or offering any apology, produced a written appeal to the court of Rome. The appeal was declared, by the commissioner, to be frivolous and inadmissible. For his obstinacy, he was suspended that very day, and, on the 22d of the same month, was excommunicated, "*propter multiplicem contumaciam.*" On the 10th of May he appeared in person before Bishop Oldham, at the palace, in Exeter, and, on his bended knees, most humbly and most earnestly entreated to be absolved from his censures, and offered to submit himself, unconditionally, to the bishop's correction. Oldham then tendered the oath of submission to the see of Exeter, and, after he had taken it, absolved him from his censures, whereupon the abbot paid him down five pounds of gold. The repentance of Bonham seems to have been insincere ; for he appealed, soon after, to the primate, Warham, and to Richard Fitz-James, Bishop of London. The question chiefly turned on the right of episcopal visitation. These prelates decided, on the 8th of February following, that the abbot had not produced any indults, bulls, or vouchers, authorising any exemption from the jurisdiction of the ordinary ; they, therefore, decreed, that he and his convent should submit to the regularly constituted authority, as their predecessors had done, from time immemorial. They recommended the abbot to apply to his bishop for the benefit of absolution ; and they directed Oldham to confer it without hesitation, and to treat the abbot with mildness and paternal affection. So far Oldham's register.—Bonham was not discouraged by defeat. From the primate, he appealed to the court of Rome, and, at last, succeeded in obtaining, from Pope Leo X. a bull of such ample and extraordinary privileges, as completely indemnified him for his former expenses and trouble.

future support of it, had purchased, for a valuable consideration, certain Water Corn Mills, on the River Irke, and a Fulling Mill adjoining, with divers Messuages, Lands, and Tenements, in the town of Manchester, and in Ancoats, specified also in the several conveyances executed by the same parties, and bearing date respectively, the 20th August, 1515, the 11th October, 1515, and the 1st of April, 1525.

The Water Corn Mills were ancient Soke Mills, belonging to Sir Thomas West, Knight, Lord de la Warr, Lord of the Manor of Manchester, at which the inhabitants of the township were bound, by immemorial custom, to grind their corn, grain, or malt, and to pay, as a toll for the grinding, a twenty-fourth part of the whole.

They are situate, three in number, upon the River Irke, not far from its confluence with the Irwell. The highest of them is yet a corn mill, but the lowest has been converted to the manufacture of snuff and pins, and has been also used for the purpose of fulling woollen cloth,—both these mills are let to respectable tenants;—but the middle mill, which is used for grinding malt, is retained in the hands of the Feoffees of the School. According to the act of 1758, when the inhabitants were released from the old custom of sending their corn to the Manor Mills, this mill was appointed to grind all the malt which is used in the township of Manchester, the inhabitants paying one shilling per load of six bushels, in lieu of the one twenty-fourth part before mentioned. This sum, having been fixed at a time when money was somewhat more valuable than it is at present, now bears but a small proportion to the labour effected; so that the mill, originally intended for the benefit of the school only, is now of far greater consequence to the inhabitants of the town. It is this tax upon grinding malt, however, which has induced the public brewers to settle themselves in the adjoining townships of Salford, Cheetham, Ardwick, Chorlton-Row, and Hulme; none of the present breweries being actually situate within the town of Manchester.

From the profits of the malt mill,—from the rental of the two other mills and several houses,—and from the interest of money vested in the public funds, an income of upwards of £4,400. per annum is now received.

There is also an annuity of £4. 0s. 0d. payable out of the Duchy Rents, to the master, which was first granted when his salary was only £10. per annum.

The old school-house, built by the Bishop of Exeter during his life-time, was taken down in 1766; and the present one, erected upon the same foundation, is situated near the College gates, in Long Mill-Gate. It is a plain brick building, with a large stone medallion in front, upon which is carved, in

alto-relievo, an owl, the crest of the founder, whose armorial bearing^a is placed in the Upper School Room, which is ninety-six feet in length, and thirty feet in breadth. This room contains four fire-places,—is extremely well lighted by twenty-six large windows,—and is furnished with desks and seats, which bear evident marks of long service, by the numberless initials of names which succeeding boys have carved upon them. The ceiling of the room is very lofty,—a circumstance greatly favourable to the health of the masters and scholars.

The Upper School Room is appropriated solely to instruction in the higher Classics; and the number of scholars has, during the last ten years, been about one hundred and forty, after the annual remove. The Lower School is under a part of the former, and about half its size. English, and the first rudiments of Latin, are taught in this room, and the boys are prepared in it for their reception into the Upper School. Before the establishment of the National and Lancasterian schools in Manchester, there were frequently seventy or eighty pupils here; but, at present, the number is from thirty to forty.

By indenture, bearing date 20th August, 7th Henry VIII. 1515, between Hugh Oldham, Bishop of Exeter, the Reverend Thomas Langley, Rector of Prestwich, Hugh Bexwyke, Chaplain, and Ralph Hulme, Gentleman, of the first part; the Abbot and Convent of Whalley, of the second part; and the Warden and Fellows of the College of Manchester, of the third part; reciting, that the said parties had often taken into consideration that the youth, particularly in the county of Lancaster, had, for a long time, been in want of instruction, as well on account of the poverty of their parents, as for want of some person who should instruct them in learning and virtue, and, therefore, to the intent that there should be some fit person to teach youths and boys freely, without any thing to be given to, or to be taken by, him, had covenanted and agreed, as thereafter mentioned; and further reciting, that the said Hugh Bexwyke and Ralph Hulme, together with Joan Bexwyke, widow, had, by indenture, bearing date the 20th June then last past, demised to the said Warden and Fellows all their lands, tenements, rents, and services of the water corn mills, called Manchester Corn Mills, and all their tolls, &c. of the tenants of the Lord la Warr, for seventy years, at the yearly rent of thirteen marks, payable to the said Lord la Warr; and further reciting, that the said Hugh Bexwyke, Ralph Hulme, and Joan Bexwyke, had, by deed, bearing the same

^a Sable, a chevron or, between three owls proper, on a chief of the second, three roses gules.

date as that indenture, released to the said Warden and Fellows all their right in the said premises, to the use and intent thereafter expressed ; and further reciting, that the said Ralph Hulme and Richard Hunt had, by indenture, bearing date the 2d of July then last past, demised to the said Warden and Fellows the messuages, lands, and tenements, &c. in Ancoats, which they had held jointly with Roger Sondeforth, D. D. deceased, John Voysey, Archdeacon of Chester, and Thomas Marler, of the gift and feoffment of Bernard Oldham, Archdeacon of Cornwall, to hold to the said Warden and Fellows, for the like term of seventy years, paying the accustomed rents and services to the chief lord ; and further reciting, that the said Ralph Hulme and Richard Hunt had, by deed, bearing date the 6th of July then last past, released all their right and interest in the said premises to the said Warden and Fellows and their successors, to the use and intent thereafter expressed ; all which premises above-mentioned were stated to be of the yearly value of £40. and were given to the said Warden and Fellows, to the intent that they, with the rents and profits thereof, should perform the agreements hereinafter expressed.—It was witnessed, that for the performance and execution of so great a work, the said parties covenanted and agreed, that the said Hugh Oldham, Bishop of Exeter, the said Warden and Fellows, and the said Thomas Langley, Hugh Bexwyke, and Ralph Hulme, during the lives of the said Bishop, and of the said Thomas, Hugh, and Ralph, should provide and nominate a fit person, secular or regular, learned and fit to be Master, to teach and instruct scholars in grammar, in the town of Manchester, according to the form of grammar then taught in the school in the town of Banbury, in Oxfordshire, and an Usher, or substitute to such Master, to teach such grammar in his absence, or for his assistance ;—and, after the death of the persons above-named, that the said Warden and Fellows, for the time being, should for ever provide such Master, &c.—and the said Warden and Fellows agreed to pay annually, without any deduction, £10. to the said Master, and £5. to the said Usher ;—and William Pleasington was thereby appointed, as the person who should first, freely, and without any thing to be therefore given him, except his stipend, instruct in grammar all boys and children in the said town of Manchester, coming to him in the place appointed for the purpose ;—and Richard Wolstencroft was appointed to be the Usher, to teach such boys, as aforesaid, coming to him, without any thing to be taken by him, except his salary appointed as aforesaid ;—and it was agreed, that in case the said Warden and Fellows, for the time being, should be remiss or negligent, or should not be able to agree in the election of a Master or Usher, within two months after a vacancy, the Abbot of Whalley and his successors,

for the time being, should elect for that turn; and that the said Master and Usher should not be removed, except for reasonable cause, as for incontinence, or neglect of their scholars, or such like, which should be brought to the notice of the said Warden and Fellows; and that the Master and Usher should perform certain services in the church, therein mentioned, and that the Warden and Fellows should provide for such services, and make certain payments for the same; and that upon every nomination of a Master and Usher, so to be appointed as aforesaid, the said Warden and Fellows should cause the said Master and Usher, respectively, to take an oath, impartially and indifferently to teach and correct the boys and scholars, and to use due diligence therein, and that they would not take any the smallest gifts, by colour of their office, or for their teaching, except their stipends.

By lease, bearing date the 11th of October, 7th Henry VIII. the said Warden and Fellows demised the Manchester Corn Mills, and the premises at Ancoats, to the said Hugh Bexwyke and Joan Bexwyke, for sixty years, at the yearly rent of £15. 18s. over and above the rent of £9. 13s. 4d. payable to the said Lord la Warr.

Notwithstanding it appears, from the above abstracted indenture and the deeds recited therein, that the mills and other premises mentioned were vested in the Warden and Fellows of the College of Manchester, as trustees, for the support of a Grammar School, yet, within a few years afterwards, they became, with some additional premises, the subject of the following conveyance, from the before-mentioned Hugh Bexwyke and Joan Bexwyke, to other trustees; which conveyance, with the statutes contained in the schedule annexed thereto, may be considered the Foundation Deed of the School, as it at present exists, and in which no notice is taken of the former grants.

THE FOUNDATION CHARTER;

BEING AN INDENTURE OF FEOFFMENT OF THE MILLS, AND OTHER PROPERTY, TO THE USES OF THE SCHOOL.

FEOFFMENT.

Omnibus ad quos presens scriptum indentatum pvenit, Hugo Bexwyke, Clicus, et Johanna Bexwyke, ^r vidua, nup uxor Robti Bexwyke, saltem;—

TRANSLATION.

To all to whom the present deed indented shall come, Hugh Bexwyke, Clerk, and Joan Bexwyke, widow, late the wife of Robert Bexwyke, send greet-

^r It is worth enquiring how these two personages became parties to the second foundation. To the Reverend Gentleman, whom I suspect to have been in some way connected with the Bishop, and perhaps his chaplain, the school is mainly, if not altogether, indebted for its very existence. He

Cum quidm Thomas Weste, Miles Dnus la Warr, p cartam suam indentatam, cujus data est ttio die mensis Octobris, anno regni regis Henrici Octavi, primo, int alia, dedisset et concessisset, et, pdict carta sua indentata, confirmasset nobis, pfatis Hugoni et Johanne, ac cuidam Rad Hulme, Genros, jam defuncto, omnia tras et tenta, reddit, revsiones, et sevtia sua molendinor suor aquaticor grana girant, nuncupat Manchester Milles, scituat et existent in villade Manchester, in Com Lancastr, sup aquam, sive rivulum, de Irke, decurrent, et labent de, et in, villâ de Manchester, et pcinctu ejusdm, usque aquam sive rivu de Irwell, labent int dit villam de Manchester et villam de Salford, in eodem Com Lancastr. Necnon omn multurar sectar molendinor predict omn tenentiu dic Dni la Warr, in Manchester pdict, ac divor suor ejusdem, ac omn alior residentiu ibm. Et ultius, cum idem Thomas

ing:—Whereas one Thomas Weste, Knight, Lord la Warr, by his deed indented, dated the third day of the month of October, in the first year of the reign of King Henry the Eighth, amongst other things, did give and grant, and by his aforesaid deed indented, did confirm to us, the aforesaid Hugh and Joan, and to one Ralph Hulme, Gentleman, now deceased, all his lands and tenements, rents, reversions, and services of his water corn mills, called Manchester Mills, situate and being in the town of Manchester, in the county of Lancaster, upon the water or rivulet of Irke, running and flowing from, and in, the town of Manchester, and the precincts of the same, as far as the water or river of Irwell, flowing between the said town of Manchester and the town of Salford, in the same county of Lancaster. And also of all the tolls soken of the aforesaid mills of all the tenants of the said Lord la Warr, in Manchester aforesaid, and of his sojourners of the same, and of all other residents there. And further,

appears to have been the sole-surviving trustee, under the Indenture of Feoffment, of the 20th of August, 1515, and, in the sixth item of the section of the statutes relating to the appointment of the masters, is further denominated a "Special Benefactor."

In the short space of nine years, the Bishop of Exeter, the Rector of Prestwich, and Mr. Ralph Hulme had already deceased; and the Abbot of Whalley and the Warden and Fellows of Manchester had sufficient business of importance on their hands, during the advance of the Reformation, to preclude their attention to so small a matter as the foundation of a free school.

The Warden, Dr. Cliffe, was, a few years after, excommunicated by the Vice-Chancellor of Cambridge for infringing upon the privileges of the University: and the Abbot of Whalley, John Paslew, B.D. was hanged for high treason on the 12th of March, 1537, in consequence of being implicated with the Earl of Northumberland in the Pilgrimage of Grace.

The circumstance of Mrs. Joan Bexwyke's having also been a benefactress to the school will explain why her name was joined with that of her respected relative, as a party to the Foundation Deed.

Dnus la Warr dedisset, concecisset, et, p eandem cartam suam indentatum, confirmasset nobis, pftis Hugoni et Johanne, ac pfto Rad Hulme hered et assignat nsris, molendin fullonicum suum, ibm vocat a Walke Millne,^s sup dict rivulum, sive aquam, vocat Irke, scituat, stans, et existens. Ac etiam suam clausuram træ, cum suis ptin, in Manchester, pdict, vocatam Walker's Crofte. Ac etiam qd cum idem Thomas, Dnus la Warr, p eandem cartam suam indentatam, similiter dedisset, concessisset, et, dic carta sua indentata, confirmasset nobis, pfatis Hugoni et Johanne, ac pfato Rad Hulme, pdictam aquam, sive rivulum de Irke, ac libam piscariam ejusdem, a quodam loco, vocato Ashelle^t Lawne, usq deam aquam, sive rivum, vocat Irwell. Necnon omn tras et tenta sua adjacentia, et adjungentia, extra se pales clausuras et burgagium, ex utrisq ptib ejusdem aquæ, sive rivuli, vocat Irke, labent in dea villa de Manchester, a deo loco, vocat Ashelle Lawne, usq deam aquam, sive rivum, de Irwell. Et ultius, cum idem Thomas Dnus la Warr dedisset, concessisset, et pdict carta sua indentata, confirmasset nobis, pfatis Hugoni ac Johanne, ac pfato Rad Hulme, hered et assignat nsris, plenariam potestatem, auctoritatem q ac interesse faciend ordinand, figend, et attachiend

whereas the same Thomas Lord la Warr did give, grant, and, by his same writing indented confirm to us the aforesaid Hugh and Joan, and the aforesaid Ralph Hulme, our heirs and assigns, his fulling mill there, called a Walke Millne, situate, standing, and being upon the said rivulet, or water, called Irke. And also his close of land, with its appurtenances, in Manchester aforesaid, called Walker's Croft. And also that whereas the said Thomas Lord la Warr, by his same deed indented, in like manner did give, grant, and, by his said deed indented, confirmed to us, the aforesaid Hugh and Joan, and the aforesaid Ralph Hulme, the aforesaid water or rivulet of Irke, and the free fishery of the same, from a certain place, called Asshelle Lawne, as far as the said water or river, called Irwell. And also all his lands and tenements adjacent and adjoining, without the several closes and burgage, on each side of the same water or rivulet, called Irke, flowing in the said town of Manchester, from the said place, called Asshelle Lawne, unto the said river of Irwell. And farther, whereas the same Thomas Lord la Warr did give, grant, and, by his aforesaid deed indented, confirm to us, the aforesaid Hugh and Joan, and the aforesaid Ralph Hulme, our heirs and assigns, full power and authority, and right of making, setting up, fixing, and attach-

^s Walke, from the Teutonic, walcken, pannum polire, to full or whiten cloth.

^t Ashley-Lane—running parallel with the River Irk and near to St. Michael's Church.

molendina, seu messuagia, ac tot ac tantos kydellos,^u inguna, et fixuras ad utrsq ptes ejusdem aquæ sive rivuli, vocat Irke, sup penetrantes ac tnsvsus eandem aquam, in quibuscunq locis, a dco loco, vocat Ashelle Lawne, usq ad deam aquam sive rivum de Irwell, quot et quales, nos pfat Hugo et Johanne, ac pfatus Rad, hered et assign nis, ad nostr magis comodum vel pficium nobis expedire, seu ditare viderimus. Necnon eosdem kydellos et injuna, et eor quemlibet, ac ceta pmissa, reperand, emendend, aut, de novo faciend, de tempore in tempus, tociens quotiens opus fuit, vel exposset, seu requireret. Hend, tenend et occupand, int alia, omnia pdca tras, tenta, reddit, revsiones, et svicia, ac ceta pmissa, cum suis ptns, una cum omnibus et singlis emolumentis, pficiis, et comoditatib quibuscunq, de, aut p eisdem, aut eor aliquo, quovis mod pvenien, surgen, sive crescent nobis, pfats Hugoni et Johanne, ac pfato Rad Hulme, hered et assign at nsris, ad opus et usum nrm, pdict Hugonis et Johanne hered, et assignat nsor imppum.

ing mills or messuages, and so many and such weirs, floodgates, and fastenings, to both sides of the same water or rivulet, called Irke, and upon, through, and across the same water, in any places whatsoever, from the said place, called Asshelle Lawne, unto the said water or river of Irwell; as we, the aforesaid Hugh and Joan, and the aforesaid Ralph, and our heirs and assigns, should think to be expedient, or beneficial for our greater profit or advantage. And also of repairing, amending, and making anew the same weirs and floodgates, and any of them, and other the premises, from time to time, as often as need shall be, or demand, or require. To have and to hold and occupy, amongst others, all the aforesaid lands, tenements, rents, reversions, and services, and other the premises, with their appurtenances, together with all and singular emoluments, profits, and advantages whatsoever, from, or by the same, or any of them, in any manner coming, arising, or growing to us, the aforesaid Hugh and Joan, and the aforesaid Ralph Hulme, our heirs and assigns, to the use and behoof of us, the aforesaid Hugh and Joan, our heirs and

^u Kydellus, a dam or weir in a river, with a narrow cut in it, for the laying of pots or other engines to catch fish. The word is ancient; for in Magna Charta, cap, 24, we read "Omnes kidelli deponantur per Thamesiam et Medwayam, et per totam Angliam, nisiper costeram Maris";—and, by King John's Charter to the city of London, power was granted "de kidellis amovendis per Thamesiam et Medwayam." A survey was also ordered to be made of the wears, mills, stanks, and kiddels in the great rivers of England, 1 Hen. 4 Fishermen, of late, corruptly call these dams, kettles, and they are much used in Wales and on the sea coasts of Kent.

Insup, pfatus Dnus Thomas la Warr, et Hered sui, p eandem cartam suam, oma pdica tras et tenta, reds, revsiones, ac sevtia, ac ceta pmissa, cum suis ptin, int alia, nobis, pfatis Hugoni et Johanne, ac pfato Rad, Hered et Assign nsris, contra omnes gentes tenent warrantizar, ac quietare, et defendere impum, put, in eadem carta, plenius continetur. Sciatis, nos, pfatos Hugonem et Johannem, dedisse, tradidisse, dimississe, concessisse, et hac pnti carta nsra indentata, confirmasse Ludowico Pollard, Militi, un Justic Dni Regis, Com Bancii, Antonio Fitzherbert, alio Justic Dni Regis, Bancii pdic, Wilmo Curteney, de Ilton, in com Devon, Militi, Thome Denys de Halcom, in com Devon, Militi, Alexo Radcliff de Ordesal, Militi, Johi Biron de Clayton, Militi, Edmund Trafford de Trafford, Rico Assheton de Middilton, Thurstano Tildesley de Wordley, Robto Langley de Agecroft, Rico Holland de Denton, et Johi Reddiche de Reddiche, in com Lancast, Armigeris, omia et sin la pdca molendina, tras et tenta, reddit, revsiones et svitia nra, necnon svitia molendinor nostr aquaticor pdicor, grana girant, nuncupat Manchester Millys, cum omnibus suis ptin, in Manchester pdica in com Lanc; necnon omnimo-

assigns for ever. Moreover, the aforesaid Thomas Lord la Warr, and his heirs, by his same deed, all the aforesaid lands and tenements, rents, reversions, and services, and other the premises, with their appurtenances, amongst others, to us, the aforesaid Hugh and Joan, and the aforesaid Ralph, our heirs and assigns, against all people are held to warrant, acquit and defend for ever, as, in the same deed, is more fully contained. Know ye, that we, the aforesaid Hugh and Joan, have given, delivered, demised, granted, and, by this our present deed indented, confirmed to Lewis Pollard, Knight, one of the Justices of the Lord the King, of the Common Bench, Anthony Fitzherbert, another of the Justices of the Lord the King, of the bench aforesaid, William Curtney of Ilton, in the county Devon, Knight, Thomas Denys of Halcom, in the county of Devon, Knight, Alexander Radcliff of Ordesall, Knight, John Biron of Clayton, Knight, Edmund Trafford of Trafford, Richard Assheton of Middleton, Thurston Tildesley of Wordley, Robert Langley of Agecroft, Richard Holland of Denton, and John Reddiche of Reddiche, in the county of Lancaster, Esquires, all and singular our aforesaid mills, lands and tenements, rents, reversions, and services; and also the services of our aforesaid water corn mills, called Manchester Millys, with all their appurtenances, in Manchester aforesaid, in the county of Lancaster; and also all

das multuras et sectas molendinor pdic-
or omn tenent Thome Weste, Militis,
Dni la Warr, in Manchester, in com
Lanc pda, ac divor suor ejusdem, ac
omn alior residentium ibm, necnon de-
disse, concessisse, et, hac prnti carta
nsra indentata confirmasse pfato Ludo-
wico, Antonio, Willo, Thome, Alex,
Johi, Edm, Rico, Thurstano, Robto,
Rico, et Johi Reddiche, pdm molen-
dinum nrm fullonicum; vocat a Walke
Milne, sup dem rivulum sive aquam,
vocat Irke, scituat, stans, et existen.
Acetiam clausuram træ nram cum ptin,
in Manchester pdic, vocat Walker's
Crofte; Acetiam aquam sive rivulum
nsm de Irke, ac libampiscariam ejusdem,
a sup dco loco, vocat Ashelle Lawne,
usque pdicm aquam sue rivum vocat
Irwell, necnon oma tras et tenta nra
adjacentia ac adjungentia extra sepe-
rales clausuras et burgagium ex utrisq
ptib ejusdem aquæ sive rivuli vocat
Irke labent in dca villa de Manchester
a dco loco vocat Asshelle Lawne usque
deam aquam sive rivu vocat Irwell.
Acetiam plenariam potestatem aucto-
ritatemq ac interesse nra faciend ordi-
nand figend et attachiend molendina
seu messuagia ac tot et tantos kidellos
ingunna et fixuras ad utrasque ptes
ejusdem aquæ sive rivuli vocat Irke et
sup penetrant ac tnsvsus eandem aquam
in quibuscunq locis a dco loco vocat

manner of tolls and soken of the afore-
said mills, of all the tenants of Thomas
Weste, Knight, Lord la Warr, in Man-
chester, in the county of Lancaster
aforesaid, and of his sojourners of the
same, and of all other residents there;
and also have given, granted, and, by
this our present deed indented, have
confirmed to the aforesaid Lewis, An-
thony, William, Thomas, Alexander,
John, Edmund, Richard, Thurstan,
Robert, Richard, and John, our afore-
said fulling mill, called a Walke Mill;
situate, standing, and being upon the
aforesaid rivulet or water, called Irke;
and also our close of land, with the
appurtenances, in Manchester afore-
said, called Walker's Crofte; and also
our water or rivulet of Irke, and the
free fishery of the same, from the
abovesaid place, called Asshelle Lawne,
unto the aforesaid water or river called
Irwell; and also all our lands and tene-
ments adjacent and adjoining without
the several closes and burgage, on each
side of the same water or rivulet, called
Irke, flowing in the said town of Man-
chester, from the said place, called
Ashelle Lawne, unto the said water or
river, called Irwell; and also our full
power and authority and right of mak-
ing, setting up, fixing, and attaching
mills or messuages; and so many and
such weirs, floodgates, and fastenings
to both sides of the same water or
rivulet, called Irke, and over, through,
and across the same water, in any
places whatsoever, from the said place,

Ashelle Lawne usque dictam aquam sive rivum de Irwell quot et quales iidem Lodowicus, Antonius, Willms, Thomas, Alex, Johes, Eds, Ricus, Thurstanus, Robtus, Ricus, et Johes Reddiche, et eor hereds, seu eor aliquis, ad eor magis commodum vel pficiu expedire, seu ditare viderint; necnon eosdem kydellos et inguna, et eor quemlibet, ac ceta pmissa reparand, emendand aut de novo faciend, de tempore in tempus, quotiens opus fuit seu requireret. Quidquid omnia, et singula pmissa, cum suis ptin, nup huimus nobis, et hered nris, ad usum num, pdic Hugonis et Johanne, et Hered nrorum impm, ex dono et concessione pdici Thomæ Weste, Militis, Dni la Warr, ut p cartam suam pdict, nobis, pfatis Hugoni et Johanne, et pfato Rad Hulme, jam defuncto, inde factam plene liquet. Et ultus, sciatis nos, pfat Hugonem et Johannem, concessisse, et, hac pnti carta nra indentata confirmasse pfato Ludowico, Antonio, Willmo, Thome, Alexo, Johi, Ed, Rico, Thurstano, Robto, Rico, et Johi Reddiche, et hered suis, omnia messuagia, tras, tenta, reddit, revsiones, et svitia, nsra, cum suis ptin, in hamelota de Ancotes, in villade Manchester, in com Lanc, necnon um burgagium nsrm, jacen in lee Mill Gate, in villa de Manchester pdic, int

called Asshelle Lawne, unto the said water or river of Irwell, as the same Lewis, Anthony, William, Thomas, Alexander, John, Edmund, Richard, Thurstan, Robert, Richard, and John Reddiche, and their heirs, or any of them, shall think to be expedient or beneficial for their greater profit or advantage; and also of repairing, amending, or making anew the same weirs and floodgates, and any of them, from time to time, as often as need shall be or require. All and singular which premises, with their appurtenances, we lately had to us and our heirs, to the use of us, the aforesaid Hugh and Joan, and our heirs for ever, by the gift and grant of the aforesaid Thomas Weste, Knight, Lord la Warr, as, by his deed aforesaid, to us, the aforesaid Hugh and Joan, and the aforesaid Ralph Hulme, now deceased, in that behalf made fully appear. And further, know ye that we, the aforesaid Hugh and Joan, have granted, and, by this our present deed indented, confirmed, to the aforesaid Lewis, Anthony, Wilhelm, Thomas, Alexander, John, Edmund, Richard, Thurstan, Robert, Richard, and John Reddiche, and their heirs, all our messuages, lands, tenements, rents, reversions, and services, with their appurtenances in the hamlet of Ancotes, in the town of Manchester, in the county of Lancaster. And also our one burgage, lying in the Mill Gate, in the town of Manchester afore-

burgagium, nup cujusdam Johis Platt, ex una pte, et le Hunt Loode, ex alta pte; quequidm burgagium, cum omnibus suis ptin, nup himus, nobis, et hered nsrs, ex dono et ffeoffamento Johis Exon Ep, et Thome Marler, pnt in quadam carta indentata nobis inde confecta, cujus data est decimo nono die mensis Maii, Anno Regno Regis Henrici Octavi sexto decimo, plen apparet. Et ultus, sciatis nos, pfat Hugonem et Johannem, concessisse, et, hac pnti carta nsra indentata confirmasse pfat Lodowico, Antonio, Willmo, Thome, Alex, Johi, Ed, Rico, Thurstano, Robto, Rico, et Johi Reddiche, totum messuagium nsrm, vocat Manchester Schole House, cum omnibus suis ptin, in Manchester, in pdio com Lanc, ac totam tram nsam, sup quam Scola pdca jam edificata est, jacen et existen in boreali pte ville Manchester, inter focum lapidin Georgii Trafford de Garrete, Armig, jacent, ex pte orientali ejusdem Schole, et oriental pt Collegii, Manchester, ex pte occidentali; ac via, ducens a collegio pdico, usque stratum, vocat Mylne Gate ex pte australi ejusdem Schole, ac aqua vocat Irke Water, ex pte boreali, quequidm messuagm et tram, cum omnibus suis ptin, nup hmus nobis, et hered nsrs, ex dono et ffeoffamento Thome

said, between the burgage late of one John Platt, of the one part, and the Hunt Loode, on the other part, which burgage, with all its appurtenances, we lately had to us and our heirs, by the gift and ffeoffment of John Bishop of Exeter, and Thomas Marler, as in a certain deed indented, to us in that behalf made, dated the nineteenth day of the month of May, in the sixteenth year of the reign of King Henry the Eighth, more fully appears. And further know ye that we, the aforesaid Hugh and Joan, have granted, and, by this our present deed indented, confirmed to the aforesaid Lewis, Anthony, William, Thomas, Alexander, John, Edmund, Richard, Thurstan, Robert, Richard, and John Reddiche, all our messuage, called Manchester Schole House, with all its appurtenances, in Manchester, in the county of Lancaster aforesaid, and all our land, upon which the aforesaid schole is now built, lying and being on the northerly side of the town of Manchester, between a stone chimney of George Trafford of Garrett, Esquire, lying on the easterly side of the same school, and the east part of the college of Manchester, on the westerly side, and a way leading from the college aforesaid, to the street, called Mylne Gate, on the southerly side of the same school, and the water called Irke Water, on the northerly side, which messuage and land, with all their appurtenances, we lately had to us and our heirs, by the gift and

Langley, Clici, Rectoris Ecclesiæ po-
 chialis de Prestwiche, et Hugonis Marler,
 Clici, pnt in quadam carta nobis inde
 confecta, cujus data est tricesimo
 primo die mensis Martii, Anno Regno
 Regis Henrici Octavi, sexto decimo,
 plenius apparet. Hend, tenend, per-
 ciend, et gaudend omia et singla
 pdca molendina, messuagia, tras, tenta,
 reds, revsiones, et seitia, ac omia et
 singla ceta pmissa, cum ombus et sing-
 lis suis ptin, in dea carta nsra specificat,
 pfato Lodowico, Antonio, Willo, Thome,
 Alexo, Johi, Ed, Rico, Thurstano,
 Robto, Rico, et Johi Reddiche, hered
 et assign suis impuum ; De capitalibus
 dnis fædi illius, p reddit et seitia,
 inde prs debit, et de jure consuet,
 ad usum nostr, pdictor Hugonis et Jo-
 hanne, durante vita nsra, et utriusque
 nstr diutius vivent. Ita, qd nos, pdti
 Hugo et Johanna, durante vita nsra, et
 utriusque nstrm diutius viventis, pim-
 pleamus, pimplerive faciamus aut cau-
 saremus, aut pimpleat, vel pimpleri
 faciat aut causaret, omnia et singla
 act, ordinat, pvisiones, constitutiones,
 articlos, assignament, et appunctament,
 in quibusdam cedula indentatis psent,
 annex, content, express, declarat, arti-
 clat, et specificat. Et post utriusqu
 nstr Hugonis et Johannæ decessum,
 ad usum et intencoem, qd pdci Lodo-
 wicus, Antonius, Willmus, Thom, Alex,
 Johes, Edmds, Ricus, Thurstanus,
 Robtus, Ricus, et Johes, et eor hered

feoffment of Thomas Langley, Clerk,
 Rector of the parish church of Prest-
 wiche, and Hugh Marler, Clerk, as in
 a certain deed to us in that behalf
 made, dated the thirty-first day of the
 month of March, in the sixteenth
 year of the reign of King Henry the
 Eighth, more fully appears. To have,
 hold, perceive, and enjoy all and singu-
 lar the aforesaid mills, messuages,
 lands, tenements, rents, reversions,
 and services, and all and singular other
 the premises, with all and singular their
 appurtenances, in our said deed speci-
 fied, to the aforesaid Lewis, Anthony,
 William, Thomas, Alexander, John,
 Edmund, Richard, Thurstan, Robert,
 Richard, and John Reddiche, their
 heirs and assigns for ever ; Of the chief
 lords of the fee thereof, by the rents
 and services therefore formerly due and
 of right accustomed, to the use of us,
 the said Hugh and Joan, during our
 life, and the life of either of us longer
 living, to the intent that we, the afore-
 said Hugh and Joan, during our life,
 and the life of either of us longer living
 respectively, may fulfil, or cause, or
 procure, to be fulfilled, all and singu-
 lar the acts, ordinances, provisions,
 constitutions, articles, assignments, and
 appointments, in certain schedules in-
 dented, contained, expressed, declared,
 articulated, and specified. And after the
 death of both of us, Hugh and Joan, to
 the use and intent that the aforesaid
 Lewis, Anthony, William, Thomas,
 Alexander, John, Edmund, Richard,

et assign, imppm, pimpleant, pimpleri
 ve faciant, aut causarent, omnia et
 singula acta, ordinac, constitucioes,
 pvisiones, articulos, assignament, et
 appunctamenta, in pdics cedulis, in-
 dentats, content, expssa, declarat, arti-
 clat, et specificata. Et nos vero, pdic
 Hugo et Johanne, et hered nsri, omia
 pdica molendina ac ceta pmissa, cum
 ombus suis ptin, pfato Lodowico, An-
 tonio, Willmo, Thome, Alex, Johi,
 Edo, Rico, Thurstano, Robto, Rico,
 et Johi Reddiche, hered et assign suis,
 contra omes gentes warrantizabimus, et
 imperpetuum defendemus, per pentes.
 Sciatis insup, nos, pfatum Hugonem
 Bexwyke et Johannem, ordinasse, con-
 stituisse, loque nsro, possuisse diltos
 nobis Xpo Roger Heyton, genosum,
 et Johnem Bexwyke, capellan nsros
 veros et legitimos Attornat, conjunc-
 tim et divisim, ad intrand vice et noms
 nsris, in omia et singula pmissa, cum
 suis ptin, et qualib inde pcella, ac pos-
 sessionem et seiam inde capiend, et
 post hujod possessionem et seiam, sic
 capt et hit, ad deliband inde plenam et
 pacificam possessionem et seiam vice,
 nombque nsris, prefato Lodowico, An-
 tonio, Willmo, Thome, Alexo, Johi,
 Edo, Rico, Thurstano, Robto, Rico et
 Johi Reddiche juxta tenorem, vim, for-
 mam, et effem hujus, presentis cartæ
 nsræ indentatæ, rat et gt hent, et hitur

and John Reddiche, and their heirs
 and assigns, may for ever fulfil, or cause
 or procure to be fulfilled, all and singu-
 lar the acts, ordinances, constitutions,
 provisions, articles, assignments, and
 appointments, in the aforesaid schedules
 indented, contained, expressed, declar-
 ed, articulated, and specified. And, more
 over, we, the aforesaid Hugh and Joan,
 and our heirs, all the aforesaid mills,
 and other the premises, with all their
 appurtenances, to the aforesaid Lewis,
 Anthony, William, Thomas, Alexander,
 John, Edmund, Richard, Thurstan,
 Robert, Richard, and John Reddiche,
 their heirs and assigns, against all
 people will warrant, and for ever de-
 fend, by these presents. Know ye,
 moreover, that we, the aforesaid Hugh
 and Joan, have ordained, constituted,
 and, in our place, put our beloved in
 Christ, Roger Heyton, Gentleman,
 John Bexwyke, Chaplain, our true
 and lawful attorneys, jointly and sever-
 ally to enter, in our names and stead,
 into all and singular the premises, with
 their appurtenances, and into any par-
 cel thereof, and to take possession and
 seizin thereof, and after such posses-
 sion and seizin, so taken and had, to
 deliver full and peaceable possession
 and seizin thereof, in our names and
 stead, to the aforesaid Lewis, Anthony,
 William, Thomas, Alexander, John,
 Edmund, Richard, Thurstan, Robert,
 Richard, and John Reddiche, according
 to the tenor, force, form, and effect of
 this our present deed indented; we

totum et quicquid die attornat nsri, seu eor alter feert in pmissis. In cujus rei testimoniu huic pnti cartæ indentatæ, ptes pdcæ sigilla sua, alternatim, apposuerunt. Hiis testibus, Georgio Lee, genros, Edmundo Asheton, Armig, Rico Heyton, Armig, Johe Forster, Rico Cayley, et multis aliis. Dat, primo die Aprilis, anno Reg Regis Henrici Octavi, post conquestun Angliæ, sexto decimo.

holding, and hereafter to hold, for good and valid, all and whatsoever our said attornies, or either of them, shall do in the premises. In witness whereof, to this present deed indented, the parties aforesaid their seals interchangeably have put, in the presence of these witnesses, George Lee, Gentleman, Edmund Assheton, Esquire, Richard Heyton, Esquire, John Forster, Richard Cayley, and many others. Dated, the first day of April, in the sixteenth year of the reign of King Henry the Eighth, since the Conquest of England.

THE SCHEDULE, OR STATUTES OF THE SCHOOL.

To all people to whome this present writeing indented shall come to here, rede, or see; Hughe Bexwyke, Clerke, and Johanne Bexwyke, wydowe, sendithe gretyng, in our Lord God everlasting, that where the Righte Reverend Father in God, Hughe Oldome, late Bysshope of Exeter, deceased, consydering the brynging upp of Childryn in their adolescency, and to occupie theym in good lerning and maners, frome and oute of idilnes, is the chieffe cause to advance knowledge, and lernyng theym, when they shall come to the age of vyrilitie, or whereby they may the better knowe, love, honor, and drede God, and his lawes; and for that the liball sciense or arte of gramyer is the grounde and fountayne of all the other liball arts and sciense, wich surge and spring out of the same, without wiche sciense, the other cannot pfitely be had; for sciense of gramyer is the yate, by the wiche all other ben lerned and knowen, in divsite of tongis and speechies; Wherefore, the said late Reventt Father, for the good mynde wiche he hadd and bare to the Countrey of Lancashire, consydering the brynyng upp in lernyng, virtue, and good maners, Childeryn in the same countrey, should be the key and grounde to have good people ther, wiche hath lackkyd and wantyd in the same, as well for grete povtie of the com people ther, as allso by cause, of long time passyd, the teychyng, brynging upp of yonge childrene to scole, to the lernyng of gramyer, hath not be taught there, for lake of sufficient Scole master and Ussher ther, so that the childeryn in the same cuntrey, havyng pregnnt witte, have ben, most pte, brought up rudely and idilly, and not in vertue, connyng, erudition, littature, and in good maners. And for the said

good and charetable dedys, by the said late Bysshopp pposed and intendyd, as is bifore said, in the same schyre, hereafter to be hadd, seen, used, and doone;— that is to say, for gramyer there to be taught for ev, the said late Bysshopp, of his good and libale disposicion, at his grete coste and chargies, hathe, within the towne of Manchester, in the Countie of Lancaster, buylded a house, joynnyng to the College of Manchester, in the weste ptie, and the water called Irke, of the north ptie, and the way goyng from the said College into a streete called Milne-Gate, in the southe ptie, and a stone chymney of George Trafford, of the este ptie, for a Free Scole. And ov and above that, for the same entent and ppose, he, as wele at his more forther expencis and chargies, purchased a cten leese of many yers, wiche are yet to come, of the Corne Milnes of Manchester, with all the appurtennces. And also caused other lands and tenements, in Manchester biforesaid, called Ancoates, and a burgage in Milne-Gate, to be disposed and converted to and for the use of the contynuaunce of teychyng and lernyng, to be hadd, taughtet, and contynued in the same scole for ev, as hereafter is declared and specified. And also, for the ferthur and sure contynuaunce and mayntennce of the same scole, and lernyng therein to be taught and hadd, We, the aforesaid Hughe and Johanne, and at oure owne costs and chargies, have purchased to the same use and entent, and conveyed astate to us and our heirs, and to one Rawffe Hulme, now decessed, all the milnes, lands, tennts, renttes, revsions, svices, and hereditaments, contayned and specyfyed in the charter, and to this cedula indented, annexed, exprsed, conteyned, declared, and comprised, whereupon We, the said Hugh Bexwike and Johanne, for the accomplishing of the said good and gostly ppose, by fore expsed, have, by our seid Charter indented hereunto annexed, giffyn and gnted all and syngler the same mylnes, lands, tents, and other the pmses, with their appurtenes, to the within named Lewes Pollard, Knight, Anthony Fitzherbert, Justice, &c. William Curteney, Knight, Thomas Denys, Knight, Alex. Radcliffe, Knyght, John Beron, Knyght, Edmund Trafford, Richard Assheton, Thurstan Tyldesley, Robert Langley, Rich. Holland of Denton, John Reddicke of Reddicke, Esquiers, and to their heires and assignes, to the use and intent hereafter declared and specyfyed; That is to wete, that they, their heirs and assignes for ev, as long as the worlde shall indure, shall stand and be thereof seased, to the use and entent herin specyfyed, and shall pforme, execute, fulfille, and obsve, and cause to be pformed, executed, fulfilled, and obsved all and evy acts, ordynaunces, pvisions, constitucions, articles, appoyntements, and agrements, hereafter insuyng, by us, the said Hnghe Bexwike and Johanne, and our counsell, made and dyvysed, specyfyed, and conteyned, in the said cedula

indented, for the good maynteinance, sustentacion, and sure contynuaunce of the same Gramyer Scole, to endure for ev more, That is to say,

Fyrste, the said Lewes and Coofeffs, bifore said, their heirs and assignes, of the issues, revenues, and pfettie comyng, rysyng, and growyng of the said myllnes, lands, tents, and other the pmisses, conteyned and specyfied in the seid dede indented, the said scole house, called Manchester Scole, sufficiently shall repaire, susteyne, mayntayne, or cause to be repaired, susteyned, and maynteined, for ev more, in koveryng, wallyng, and such other, as by the discrecion of the Warden of the said Collige of Manchester, or his deputie, and the Churchwardeyns of the said College, for the tyme beyng, shal be thought necessaire.

Itm, within the same scole, nor the library of the same, by nyght or by day, any other actes, thyngs, plays, or other occupacions be hadd or used, in them or any of them, bot allways kepte honeste and cleynley, as it besemythe a scole, library, and that after the cleynest manr, without any lodging ther of any Scole Maister, or of any Ussher, or eithr of them, or of any other pson or psons.

Itm, that the seid scole be wekely, onys^v in the weke, made cleyne by too pooer scollars of the same house, thereunto assigned by the Highe Maister, for the tyme beyng, or, in his absence, by the Ussher, the same poer scollars therefore to have of ev scollar, at his fyrste admytting, one peny stling, and therfore to write in a sevall booke all the names of scollars that do cum into the same scole as scollars, and that booke and books therof allways to be kept, and evy thirde yere to be delyved to the Warden of the Colledge of Manchester, or his deputie, to thentent that therin may and shall always appere wiche have be brought up in the same scole, and soe they to have exhibicion to Oxford, or Cambrigge, as herafr is expssed.

Itm, if ther be sekenes infectiffe, as pestilence univsall, the scole to be lefte, for the tyme beyng, by the discredessyon of the Warden of Manchester Colligge, for the tyme beyng, or his deputie, and if such sekenes contynue by the space of XII weekes hoole, so that the Maister and Ussher then teiche not usually by the same space, then the Maister and Ussher, evy of them, to have bott halfe the seid wage for that tyme; and if it contynue the halfe yere, they to have in like man, and if it contynue by the space of twelve moneths, so then they to have VI.^{lb} XIII.^s IIII.^d, and no more; that to be divided between theme, according to their porcions of wage, and the rest of their said wage then to go to the store cheste, sett and ordyned to kepc the money and receyts of the seid lands and tents.

ACTS CONCNYNG THE NAMYNG OF THE SCOLE MAISTER AND USSHER,
AND THEIR ORDINAUNCES.

Itm, the said Hugh Bexwik and Johanne Bexwik, duryng their liffe, and the longer lyver of them, shall name, chese,^w and elect a convenyent pson and Scole Maister, singyll man, pest or not pyst, so shall he be no religiouse man,^x beyng a man honest of his levyng, and hole in body, as not beyng vexed or infecte with any continuall infyrmytie of disease, and having sufficient literture and lernyng to be a Scole Maister, and able to teiche childerne gramyer, afr the scole use, man, and forme of the scole of Banbury, in Oxfordschire,^y now there taught, wich is called Stanbrigge Gramyer,^z or afr suche scole use, man, as in tyme to come shall be ordyned univsally, throughowt all the prvce of Canterbury.

Itm, the seid Hughe and Johanne, during their liffe, as bifore said, shall name, chese, and elect a convenynt Ussher, in lyke man as thie do elect and name the above seid Highe Maister.

^w Choose.

^x Priest or not priest, so that he be a member of no religious order or community.

^y The Grammar School at Banbury, formerly celebrated under the superintendence of Thomas Stanbridge, M.A. of Magdalen College, Oxford, *is now no more*;—nor is there any person having the office of Schoolmaster. The statutes of this Institution were the model of many others, and, according to traditition, those of Saint Paul's School, in London, were founded upon them. Stanbridge was the brother of the Grammarian, who resided chiefly at Oxford.

^z John Stanbridge, the noted Grammarian, was born at Heyford, in Northamptonshire. He received his education at Winchester College, and was admitted, after two years probation, Fellow of New College, Oxford, in 1481.—In 1486 he quitted his Fellowship, and, having already taken the degree of Bachelor of Arts, was, in 1488, made Usher of the Free School near Magdalen College, to the Head Mastership of which he finally succeeded.

He continued to reside here during his life, and superintended the education of many eminent persons, who made a proper acknowledgment of his merits. He was indefatigable in the duties of his profession, and deeply read in the science of Grammar; and, by his writings, as well as his scholastic exertions, the Latin language was much refined and improved.

Mr. Stanbridge has written “Embryon relinatum, sive Vocabularium Metricum.” Lond. 1500, 1501, 1507, 1510, 1521, 1525, 1532, 4to., all printed by Wynkyn de Worde.—“Vocabula Magistri Stanbrigii primum jam edita sua saltem editione.” Lond. by Pynson, 1514, 4to.—by Wynkin de Worde, Latine et Anglice, 1521, 4to.—“Parvulorum Institutiones,” 1520, 1521, 1526, 1529, 1530, Lond. 4to., all by Wynkin de Worde.—“De Ordine Constructionum.”—“Vulgaria Stanbridgiana,” by Wynkin de Worde, Westm. 1536, 4to.—“The Accyndice of mayster Stanbrydge's own makynge.” Lond. 1520, 4to. bl. let. by Wynkin de Worde.—“Accidentia Stanbrigiana.” Lond. reprinted in 1534, 4to.—“Gradus Comparationum, cum verbis anomalis, simul et eorum compositis, ex Stanbrigiana editione.” Impressum Rothomagi, in sumptis Jacobi Cousin, in eadem Civitate, in parrochia divi Vincentii, prope Cordiferos locum tenentis. 4to. Reprinted 1526, 1527, 1530.—“Sum, es, fui, of Stanbridge.” 4to. by Pynson.—and “Hexasticon,” addressed to Whittington, in the Syntaxis of the latter.

Itm, afr the dethe of the same Hughe and Johanne, and either of them, the Psident of Corpis Cristi Colledge of Oxford for the tyme beyng, and his successors, shall, within one monethe afr the dethe or deptime of evy Scole Maister and Ussher, and either of them, name, habile, elect, and chese Scole Maister and Ussher, and either of them, as bifore is expssed, beyng a man honest and littate, not regular,^a as he shall thynke convenyent, and if the seid Psident do not name, elect, and chese the Maister and Ussher, with the said monethe, as is affore expssed, that then the said Warden, or deputie, of the Colledge of Manchester, for the tyme beyng, shall, with one other monethe, then nexte insuyng, name, able, elect, and chese suche Maister and Ussher, and either of them, as bifore is in the first chapit. of the Maister, beyng a man honest and littate, as thei shall think convenyent.

Itm, yt evy Scole Maister and Ussher, for ev., from tyme to tyme, shall teache freely and indifferently^b ev. childe and scoller, comyng to the same scole, wtoute any money, or other reward taking therefore, as cokke peny,^c victor peny,^d potacion peny,^e or any other, what so ever it be, except only his seid stipende and wage her afr specified.

Itm, that the Highe Maister and his Usher for the tyme beyng, if they be withn hooly orders, at evy festival day and double feest, beyng keped holly day in the yere, yerly, be at Devyne Svice in their surplois, in the Quere of the Colligge of Manchester, afforsaid, and be ther at the commandment of the Warden of the seid Colligge, or his deputie, for the tyme beyng.

Itm, the Highe Maister and the Ussher for the tyme beyng ev. Wensday and Fryday wekely, for ev., with their scollers, beyng and goyng too and too^f to gether, shall go in pcession solemply before the Warden of the same Colligge, or his deputie, for the time beyng, and Feloy^g of the same, and their succes-

^a See note x.

^b Freely, and without distinction or favour.

^c Cock penny.—Paid by the Scholars to the Master, for his permission to fight or throw at cocks at Shrove-tide.

^d Victor penny.—Paid by the Scholar who had won the greatest number of battles, or whose cock, after having been thrown at, had escaped unhurt; and received by the Master, for leave to ride as Victor.—See note g. page 29.

^e Potation penny.—Paid by the Scholars, or their friends, to the Master, to enable him to give an entertainment at some season of the year, (usually in Lent,) to the Scholars on quitting school;—this is, in some counties, still customary, and is called “the drinking;”—in consequence, however, of its frequency and abuse in some schools, it fell into disrepute, and became, like the other allowances, forbidden and discontinued.

^f Two and two together.

^g Fellows.

sours for ev., if the have any pcession for the day, and ev. too scollers to say, if he be able of lernyng, the com. Latiny,^h with the Suffragies^h folynge, and De pfunds,ⁱ for the sawles of Hugh Oldam, late Bysshopp of Exeter, and Founder of ther scole, his father and mother sawles, and for the sawles of Sr Richard Anderon, Henry Trafford, and Thomassyn, his wife, decessed, and for the sawles of George Traford of the Garret, and Margarette his wif, then and then^k next and imydiately insuyng, when and what tyme it shall please God Almighty, of his meye and gree, to call for the said George and Margarette, or auther of them, and for the sawles of Hughe Bexwik, Clerke, and Johanne Bexwyke, vidowe, speciall bnfactours of the seid scole, when and what tyme it shall please God Almighty, of his meye and gree, to call for the seid Hughe and Johanne, or either of theym, and for the sawles of all the feoffs and bnfactours to the mayntnace of the same scole, at that day dpted, and all cristin sawles, and for the good and pspitie of the feoffs and bnfactours then beyng in lif.

Itm, that no High Maister or Ussher be expelled or amoved, a gainst his will, from the seid scole and office of Highe Maister or Ussher, except it be for his or their misse lyvyng, or insufficient attendyng or teichyng the scollers ther, or having any seknes or disease incurable, as pooks^l leprosy, or suche other grete offences or syknes, wiche be, and shal be, referred to the discrecion and order of the Warden of the College Church of Manchester afforsaid, for the tyme beyng, or his deputie.

Itm, evy Scole Maister and Ussher, in forme afforsaid elect and chosyn, within one monethe of his said election, or puttyng into the seid office, shal bre^m the Warden of the seid College of Manchester, or, in his absence, bifore the deputie of the same College, swere upon the Evngelists, that he shall diligently and indifferently teche and correcte all and evy the seid scollars of the same scole, for the tyme beyng, all fraude, gyle, and disseyte in that behalff only layd apte.

Itm, the Maister or Ussher, wiche of them comythe fyrst into the scole in the marnyng, say oppynly, with the scollers ther, this Salme, Deus misereatur nostriⁿ wt a collet,^o as as^p they use in churches, on dmical^q days, and evy nyght, in suche like mn, the Maister or Ussher to syng an Antyme^r of our Blessed Lady, and say D. pfunds for the saule of the late Bysshopp of Exeter, Hugh Oldam, founder of that scole, his father and mother, and for the saules of Sr Ric. Anderon,

^h The Litany, with the Responses and Supplications following.

ⁱ The 130th Psalm.

^k Such as.

^l Small pox.

^m Before.

ⁿ Psalm 67.

^o Collect.

^p Such as.

^q Dominical.

^r Anthem.

Henry Trafford, Thomassyn, his wif, decessed, and for the sawles of George Trofford of the Garrett, and Margaret, his wif, then next and immydiatly insuying, when, and at what time, it shall please Almighty God, of his mey and gce, to call for the said George and Margaret, or auther of them, and for all the sawles of the feoffs and bnfactors of the same, dpted, and all crystyn sawles; and to say in audible voice, in the scole, bifore the begynning of De pfunds, in this man., “For the sawles of Hughe Oldome, late Bysshopp of Exiter, founder of our scole, and his father and mother sawles, and for the sawles of George Trafford, and Margaret his wif, and for all the sawles that the bonden^s to py for, and for all the bnfactors sawles, and all crystyn sawles, De pfunds.”

Itm, that no Highe Master nor Ussher leve or depte from the same scole, except he therof gif opynly knowlege to the Warden or his deputie, and opynly, in the scole, byfore the scollers, by the space of XIII weeks bifore his or their deptime, or ells to leave and lose his or their quart’s wage that so deptime.

Itm, the said Highe Maister nor Ussher shal gunte^t no lycence to the scollers ther, to play or depte^u from the scole and lernyng, except it be by the consent of the Warden, or depute, of the seid College of Manchestr, for the tyme beyng, and then to play honest gammes, and convenynt for youthe, and all to gether, and in one place, to use theyr Lattyn tonge.^v

Itm, the said Highe Maister and Ussher to contynue teychyng in their scolls bifore evy feest, untill IIII days next bifore evy feste, as Ester, and Crystynmas.

Itm, evy Highe Maister and Ussher shall take yerly one XX days to sporte them,^w and either of them at one tyme, on sundry tymes, so they be not bothe absent at one tyme.

Itm, that if the Highe Maister be seke of sekeness incurable, or fall into such age that he may not convenyntly teche, and hathe ben a man that longe and laudably hathe taught in the seid scole, then he to have of the surplusage and store, blonging to the same scole, yerly IIII lb. stling.

Itm, in like man. the Ussher to have yerly IIII marks.

Itm, if the Highe Maister be seke of sekeness curable, the Ussher to helpe hym, and to take the more payn uppon hym, and also to have for his seid payn, by the discession of the seid Warden, or deputie, of the seid College of Manchestr, of the wage of the seid Highe Maister, and in like wise if the seid Ussher

^s That they are bounden to pray for.

^t Graunte—grant.

^u Depart.

^v It was usual, before the Reformation, to oblige children to converse freely in the Latin language, with the view of their being able to pronounce correctly the services of the church.

^w Twenty days vacation, or remission from duty.

be seke, then the Highe Maister to take the more payne in techyng the scollers, and to have pte of the wage of the said Ussher, by the discession of the Warden of the seid Collige, or his deputie.

Itm, the Highe Maister, for the tyme beyng, shall allway appoynte one of his scollers, as he thynkithe best, to instructe and teche, in the one end of the scole, all infants that shall come ther to lerne ther A B C prymer, and forthe till they begyne gramyer, and evy monethe to chese a nother newe scoller so to teche infants. And if any scoller refuse so to teche infants, at the commandment of the seid Highe Maister, or, in the absence of the Highe Maister, at the commandment of the Ussher, for the tyme beyng, the same scoller so refusing to be banysed^x the same scole for ev.

Itm, the Ussher, being well littated and honeste of his levyng, shall have the Highe Maister rome and offyce, when it is voide, bifore any other, if he be able in lernyng.

Itm, if it hppyn the Highe Mast. and Ussher to be bothe syke at onys,^y and if sekenes curable, as agewes,^z and suche other, then they to hyre one sufficient, aft. the use afforsaid, to teiche for thym; and they to pay the wage, that is to say, portionably aft. their wage, the Highe Maister more than the Ussher or Sur-maistr, aft. the discession of the Warden, or his deputie.

ACTS AND ORDINAUNCES CONCNYNG THE SCOLLERS.

Itm, there shall be no scollar nor infaunt, of what cuntrey or schire so ev. he be of, beyng man child, be refused, except he have some horrible or contagiuous infirmyte infective, or pooks,^a leprosy, pestilence for the tyme beyng, or suche other infirmyties, wiche be, and shal alwaies be, remytted to the discesion of the Warden or deputie of Manchester Collige for the tyme beyng.

Itm, evy scoller withn the same scole, shall be obedient to helpe the Scole Maister or Ussher, for the tyme beyng, for the correccion lawfully of any scoller or scollers of the same scole, at the commandment of the Scole Maister or Ussher, for the tyme beyng.

Itm, no scoller, then beyng at scole, weare any dagger, hanger, or other weppyn invasyve,^b nor bryng into the scole any staffe or bate,^c except the meat knyffes.

^x Banished.

^y Once.

^z Agues, or intermittent fevers.

^a See Note 1.

^{b c} It was customary for all persons of condition in those days, to carry swords or daggers, (attached to their persons as weapons of defence,)—and in these customs the children imitated their seniors. In consequence of the danger of such instruments, and their having been used in the affrays and rebellions of the schools, they were generally forbidden in the Statutes of the Foundations.

Itm, that no scoller ther make any affray, with the same scolle, uppon the Maister, the Ussher, or upon any other scoller of the same scole, upon payn of lefyng^d of his seid scole, by one monethe; and if any scoller ther make too ffrays, as above is said, then to lefe the same scole by the space of too monethes, and if any make the the^e third, he to be banysed the same scole for ev. without any favor.

Itm, the scollers of the same scole shall use no cokke feghts,^f ne other unlawful gammes, and rydyng aboute for victours,^g or other disports had in these ptes, wiche be to the grete lett of lernyng and vertu, and to charge and cost of the scollers and of their friends.

Itm, that evy scoller of the same scole be at the seid scole in the mornyng, bitwixt Michelmasse and Ester, byfore VII of the cloke, and bettween Ester and Michelmasse, at VI of the cloke, except suche as come dayly fer^h to their lernyng, wiche shall come to the scole at suche an houre as shal be lymitted to thaym by the Maister, according to the distaunce of the place they do come from.

Itm, that the Maister or Ussher be in the scole at the hour lymitted to the scollers.

Itm, evy scoller to pay, at his first admyttyng and writing in of his name in the boke of scollers, one penny stling, and not above that, always to be payd to the too poor childers, for the tyme beyng, wiche kepe the boke of scollers names, and make cleyne the scole, as is bifore rehersed.

Itm, that no scoller shall bryng meyte or drynke in to the scole, nor ther to use their meyte and drynke, bott alway, if any suche poor scollers ther be, that,

^d Leaving.

^e So in the original.

^f This barbarous pastime, which claims the sanction of high antiquity, was practised by the Greeks and Romans;—with us, it may be traced back to the twelfth century, at which period, it appears certain that it was in usage, and seems to have been considered a childish sport.—“Every year,” says Fitzstephen, in his description of London, of the time of Henry 2d, “on the morning of Shrove-tuesday, the school-boys of the city of London, and of other cities and great towns, bring game cocks to their masters, and, in the fore-part of the day, till dinner-time, are permitted to amuse themselves with seeing them fight;”—the school was the cock-pit, and the master the comptroller or director of the pastime. The custom was retained in many schools in Scotland, within the last century, and perhaps may be still in use there.

^g The victor, or hero of the school, who has won the greatest number of fights, was carried about upon a pole by two of his companions;—he held the cock in his hands, and was followed by other boys in procession, bearing flags, charged with various allegorical devices.—There is a good engraving of this ceremony in Strutt’s Sports, plate 35.

^h Far, from a distance.

for their greate povtie, do brynge their meyte and drynke with them, they go to sume house in the towne, and ther to ete and drynke, and so to resort agayn to the scole.

Itm, that if any scoller of the same scole go fro and forsake the same, and repayre to any other scole, and after retourne agayne to the same scole, he to be taken agayne, for one tyme, bot at the seconde deptyure, he to be excluded and banyshed the same scole for ev., without any favor.

Itm, that the Scole Maister and Ussher shall cause all scollers, beyng lernyd in gramyer, at all tymes to use and speyke their Latyn tonge within the scole and all other places convenyaunt.

ACTS FOR THE WAGE OF THE SCOLE MAISTER AND USSHER.

Itm, the said Hughe and Johanne, and either of them longer livyng, with the issues and pfetts of the above named mills, lands, tents, revsions, and pmisses, called Manchester Millnes, shall, by them, or their sufficient deputie, pay, or cause to be paid, yerly, wtoute fraude, gile, delay, or deceyte, at the festes of Ester, the Nativyte of Seynt John Baptiste, Seynt Michell tharchangell, and the Natyvyte of our Lord, by equal porcions, ten pounds stling, that is to say, at evy of the festes aforsaid, fyfty shillings to the Highe Maister there, for the tyme beyng, teaching.

Itm, that the said Hughe and Johanne, in like man., shall pay, or cause to be paid, of the issues and pfetts afforsaid, yerly fyve pounds stling to the Ussher Sur-Maister, ther, for the tyme beyng, teiching, that is to say, at evy of the festes afforsaid, XXVs. stling.

Itm, afr the dethe of the same Hughe and Johanne, the within namyd Leewis Pollard, Knyght, Antony Fitzharbart, Justice, Willm. Curtney, Knyght, Thomas Denys, Knyght, Edmund Trafford, Richard Assheton, Thurstan Tildesley, Robt. Langley, Ric. Holland, John Reddiche, and their heirs, or by their sufficient deputie, shall, with the issues and pfetts afforsaid, pay, or cause to be paid, the wage, yerly, of the Highe Maister and Ussher, in man. and forme as afforsaid, for ev.

Itm, that if any man, beyng Highe Maister or Ussher Sur-Maister, for any tyme beyng, happyn to dye bfore the quarter payment, as is afforsaid, then the same Maister or Ussher Sur-Maister, his executors or assignes, that so shall haypyn to die, shall be payd, after the rate and tyme of his dethe, as the same quarter wage shall amounte.

Itm, in like man. the Highe Maister or Sur-Maister that happyn to come

and teche in the same scole, bifore the quarter, he to have aft. the rate of his quarter wage, for his comyng and techyng bifore the quarter.

Itm, in like man. the Highe Maister or Sur-Maister that happyn to come and teche in the same scole, bifore the quarter, he to have aft. the rate of his quarter wage, for his comyng and techyng bifore the quarter.

Itm, the wage of the receyver of the lands concerning the same scole, shal be XXs. yerly, to be paid at Michaelmasse, when he makithe his accompts, and not otherwyse.

ACTS FOR THE FEOFFS

Itm, when it shall happyn the seid Feoffs to dye, to the nombr of foure, then the same IIII to make like feoffment and articles, in man. as this is, to twelff honest gentilmen, and honest psons, within the same pissheⁱ of Manchestr, and so they, in like man., to make, from tyme to tyme, for ev., when it comyth to the nombr of IIII, to the use afforsaid.

Itm, the Feoffs, for the tyme beyng, shall make no man. leese or astate^k of the said millnes, lands, or tenements, belonging to the same scole, or any pcell therof, above ten years.

Itm, the Abbott of Whalley, for the tyme beyng, shall name, from tyme to tyme, one substanciall pson dwellynge within the pisshe of Manchestr, puttynge in suertie to be bondon to two of the seid Feoffs, to make a true accompte, and pay quarterly the Maister and Ussher, as is afforsaid, and also paying to the lords their rentts and pfetts of all the hole lands concernyng the same scole, wiche receyver shall make his accompts for the receyts, and for all necessaire rapacions and payments done there, onys in the yere, at Manchestr, before the Warden of the College, or his deputie, two of the Feoffs, and the Highe Scole Maister for the tyme beyng, if they can be at hitt, or two of thes psons, at the leest, there to make a true accompt of ev. thyng, and true allowance upon his othe, and brynge and delyv. yerely the surplusage, above all wage, repacions, and suche other necessaire expens, the same surplusage to be by the auditors afforsaid, there beyng psent, put into a cheeste, therefore made, remayning in the vestery of the seid College of Manchestr, whereof the Feoffs, for the tyme beyng, shall have one key, and the Maister of the College, for the tyme beyng, an other, the Abbott of Whalley, for the tyme beyng, the thirde, the Highe Scole Maister, for the tyme beyng, the fourth key, so yt the seid cheeste in no wise may be oppynned, except all foure keys come to gether.

ⁱ Parish.

^k No manner of lease or estate.

Itm, the seid Warden or deputie, the two Feoffs, and the Highe Scole Maister, for the tyme beyng, for their payne in heryng and viewyng the seid receyver accompts, shall have a dyner of Vs. charge amonge theym that be psent at the seid auditte yerly.

Itm, when it shall happyn the cheste to be at surplusage the sune of XLlb. stling, the rest to be gyvyn to the exibicion of scollers yerly at Oxford, or Cambridge, wiche hathe be brought up in the seid schole of Manchester, and also onely suche as study arte¹ in the seid univrsities, and to such as lake exhibicions, by the discrecion of the seid Warden, or deputie, and Highe Maister for the tyme beyng; so no one scoller have yerly above XXVIs. VIIId. stling, and till suche tyme as he have some pmocion by fellowship, of one College or Hall, or other exhibicion, to the sune of VII marks.

Itm, the Feoffs for the tyme beyng shall pay, of the stokke being in the seid cheste, all charge in the lawe, if any happyn to be, for the defence of the lands of the seid scole, or any pcell thereof, and also shall pay the costs and charges of makyng of new feoffments, and acts, ordinaunces for the good mayntenaunce of the same, when nede shall require, as well to substanciall lerned counsell in the law, temprall and spiritall, as also for writing and ingrossing of the same, with all other necessaire expens belonging to the same.

Itm, the Maister and Felloys of the seid College shall have yerly, for their good and save lookyng to the same cheste, and, by cause it shall stand in the vesterey, the sune of IIIs. IIIId.^m evy Michaelmasse, yerly, to them and ther successours for ev., to be truly content and paid.

Itm, notwithstanding those statuts and ordinances bifore wrytten, yett by cause in tyme to come, many things may and shall survyve and grow, by sundry occasions and causes, wiche at the makynge of thes psent acts ordinaunces were not possible to come to mynde,—

Itm, in consideracion whereof, we, the seid Lewes, Antonye, Willim, and other our Coofeoffs, trustyng gretly to the fidelitie of the above named Feoffs, and other heraft. to come, will, that thei heraft., from tyme to tyme, when nede shall require, callyng to them discrete lerned counsell, and men of good littature, they to have full pooers and auctoritie to augment, increase, expounde, and reforme all the seid acts, ordinaunces, articles, compositions, and agrements,

¹ Such only as take their degrees in Arts.

^m The custom of depositing the chest of the Manchester School in the vestry of the Collegiate Church has been long since discontinued, nevertheless, I believe, this allowance is still claimed and paid.

only concernyng the Scole Maister, Ussher, and the scollers, for their and ev. of their offices concnyng the said Free School for ev.

(LS) Lewys Pollard.	(LS) Alex. Radclyffe.	(LS) Thurstan Tyldysley
(LS) Anthony Fitzherbert.	(LS) John Byron, Knyght.	(LS) Robt. Langley.
(LS) W. Curtney.	(LS) Edmund Trayford.	(LS) Jhon Reddysh.
(LS) Thomas Denys.	(LS) Ric. Assheton.	(LS) Ric. Holland.

Some few observations may seem necessary on the foregoing Charter and Statutes, by way of explanation.

By the Indenture of three parts, of the 20th August, 1515, between the Bishop of Exeter, Thomas Langley, Hugh Bexwick, and Ralph Hulme, of the 1st part; the Abbot and Convent of Whalley of the 2nd part; and the Warden and Fellows of the College of Manchester of the 3rd part; it appears that the great necessity of some effectual method of instructing the youth of Manchester and its neighbourhood was then sensibly felt, and the Warden and Fellows, being considered the most proper supervisors of the conduct of the school and its Masters, as well from their residence as their clerical qualifications, were fixed upon and nominated the first Trustees, and the revenues of the leases and other properties were accordingly vested in them for that purpose.

The conditions expressed in this Indenture were to be the rule and guide by which the Warden and Fellows were to provide and nominate the Masters of the school, and regulate the admission of Scholars; they had power also to remove any person who might be remiss in the execution of his duty, or in complying with the spirit and letter of the statutes; and, in case of their own negligence in the performance of the requisite stipulations, the Abbot of Whalley was empowered to interfere and fulfil the conditions of the Indenture.

The duties of the foundation had proceeded regularly in this way for but a very short period, when the rapid strides of the Reformation had so far advanced as to threaten a general change in the religion of the land, and to lead to the prospect of a speedy dissolution of the monastic foundations all over the country; and therein perhaps to involve the interests, if not the actual existence of the school itself.

The wise foresight of the parties yet surviving, (for the Bishop of Exeter had already deceased in 1519,) had, however, most fortunately, induced them to provide for the school, in the event of such an occurrence. The College of Manchester and the Abbey of Whalley were shortly afterwards actually dissolved, during the regency of Edward the Sixth, and the

sure prospect of this circumstance, is of itself sufficient to account for the re-conveyance of the estates, the re-appointment of trustees, and the total re-foundation of the school, which took place by the Indenture of Feoffment, under date of the first of April, 1525, 16th of Henry the Eighth.

From a desire, perhaps, to pay a delicate but proper compliment to the memory of the founder, as Bishop of Exeter, it is observable that several personages of great eminence in the county of Devon, and probably once his intimate friends, are nominated, along with others resident in the county of Lancaster, in the body of new Feoffees, and the statutes were re-modelled, *mutatis mutandis*, upon those of the first foundation of the year 1515.—The nomination, moreover, of the Masters of the school was given to the President of Corpus Christi College, Oxford, and his successors, doubtless, in remembrance of the Bishop's connection with that College, and that he had been their “*primarius Benefactor*.”

The names of the Scholars were ordered by these statutes to be entered in registers, provided expressly for that purpose; but these lists, intended to be delivered triennially to the Warden, previously to his deciding on the claims of parties entitled to exhibitions, in common with all muniments and papers then in the custody of the Warden and Fellows, and repositied in the vestry, were sacrilegiously carried off,ⁿ along with much more substantial prey, by the strippers of the religious foundations, during the canting and hypocritical days of the Cromwellian interregnum; and the statue of the good and pious Bishop, erected at the upper end of the school, and mentioned by Hollingworth, as having been in his time newly repaired and adorned, was destroyed by the reckless iconoclasts of the same age, whose hatred to the episcopal habiliments was quite consistent with their smooth-faced and puritanical innovations.

Of the ancient tolls payable to the School Mills, and the suits and customs connected therewith, and also of the litigations between the Lord and the Inhabitants respecting them, a few words are also necessary.

In the charter of Thomas Grelle, Lord of the Manor, to the burgesses of Manchester, dated in 1301, it is expressed, that “they shall do suit at the Lord's Mill, and to the farmers thereof, yielding and performing the custom to

ⁿ Nov. 5, 1649.—The chapter-house door and the *Colledge chest* were broke open, and the *Colledge deeds* were seized on by some soldiers and sent to London.—Hollingworth's *Mancuniensis*.

the said mill, and the farmers thereof, as they have been used and accustomed to do.”^o—And in a survey, taken in 1313, a reference is made to the mills of Manchester upon the water of Irke, which are therein valued at ten pounds per annum, at which all the burgesses and tenants of Manchester, of ancient custom, ought to grind.

In 1515 these mills, with other property, were conveyed by Sir Thos. Weste, Lord de la Warr, the then Lord of the Manor of Manchester, to the Bishop of Exeter, and Hugh and Joan Bexwick and their heirs and assigns; and, as he was informed the said mills were worth £47. 10s. 0d. per annum, he stipulates in the conveyance, that, for the better support of the school, he would, by his sufficient deed in law, covenant, give, and grant that not only “all the tenants and resiants within the said manor and town of Manchester should grind their corn and malt at the said mills, at all times in the year, but that there should not be any other mill or mills erected upon or about the site or precinct of the said Manor.”

By a Court Roll of the Manor Court of Manchester, dated 30th of September, 1556, in consequence of an attempt to evade the conditions of this conveyance, it appears that an order was given “that all the inhabitants and householders should have warning in the church, to grind at the said mills, as they were thereunto bound, and that all offenders against that order would be amerced.”

In 1561, 3rd of Elizabeth, it was again ordered by a Court Roll of a Court held on the 10th of April, that, in consequence of like attempts at evading the conditions of the Lord’s conveyance, “all inhabitants of Manchester should grind their corn at the said mills, and if any should, in future, offend, they should forfeit twenty shillings.”

In 1576, 18th of Elizabeth, by a Court Roll of 13th of June, the same order was repeated;—and in the next year, on the 11th of April, also by Court Roll, it was ordered that, in consequence of these repeated and increasing attempts to evade payment of the proper tolls and customs to the Lord, all the former orders should be recited and made known, and provision had for the better execution thereof.

Notwithstanding these several notices, it was found that frequent evasions still continued to be made, and the Feoffees of the School Mills, desirous that

^o Ibi est Molendinum Manchester currens per aquam de Irke, valoris £10., ad quod omnes burgenses et omnes tenentes de Manchester cum hamlettis de Ardwick, Openshagh, Curmshale, Moston, Nothurst, Gotherswyk, et Ancotes debent molare. Molent ad 16 grana, præter Dominum de Mostun, qui hopper-free ad 20 grana. Et est ibi quidam furnus communis juxta curiam Domini val. 6s. 8d. ad quem quilibet burgensis debet furnire de consuetudine.—Charter of Thomas Grelly.

the revenues of the Charity should be preserved, felt themselves bound to institute legal proceedings for the better preservation of the conditions of their original conveyance, and for the purpose of setting the question upon its own proper footing.—Accordingly, in 1592, 35th of Elizabeth, in consequence of a Bill having been exhibited, by the then Feoffees, in the Duchy Court of Lancaster, against one Anthony Travis, of Manchester, for erecting a horse-mill within the town, and for withdrawing the suit and multure of the burgesses, &c. from the School Mills, whereto he appeared and answered, and upon which divers witnesses were sworn and examined,—It was decreed and ordered, on the 4th day of May, 1593, 36th of Elizabeth, “that all burgesses, tenants, resiants, and inhabitants, within the town and manor, should bring all their corn and malt, which they spent and used ground in their houses, to be ground at the School Mills, and there grind the same, and not elsewhere, unless it should continue there unground twenty-four hours, and then to have liberty to carry it away to other mills.—And it was further decreed that no person whatsoever should erect, make use of, or have, any horse-mill, hand-mill, or querne-mill within the town or liberties thereof.”

In 1608, 5th James 1st, another Bill was exhibited in the same Court by the the then Feoffees against one Robert Robinson, an inhabitant within the town of Manchester, for erecting and working a horse-mill within the town, and for withdrawing his soke from the School Mills.—An answer was put in, and on the production of many Surveys, Extents, and Court Rolls, touching the rights and customs of the manor, it was decreed, on the 16th of November of the same year, “that the horse-mill then lately erected should be pulled down, and not be any longer used, and that neither he nor any other person should then after erect, make, or use any horse-mill, hand-mill, or querne-mill, or any other mill whatsoever, within the town or the liberties thereof; and that neither he nor any other inhabitant should carry for grinding, any corn, to be spent in any of their houses, to any other than the School Mills; and that all the burgesses, tenants, &c. within the town, should grind all the corn, to be spent ground in their houses, at the School Mills, and not elsewhere, except as in the former decree;—And it was farther ordered, that the then plaintiffs, and all other Feoffees of the school, for the time being, and their farmers or tenants, should have the soke or multure belonging to the mills against all the burgesses, &c. of the town;—And accordingly to have one or more injunctions against all or any of them, and their servants or millers for their better performance of the said decree.”

In 1636, 12th Charles 1st, June 27th, on a motion made in behalf of Thomas Prestwyck, Esq. then farmer of the mills, shewing that Adam Holme, Roger

Bowring, and several other inhabitants within the town of Manchester, had withdrawn their multure, contrary to the last-mentioned decree ;—An injunction was ordered to issue against them and all other burgesses that did not bring their corn and malt, which should thereafter be spent ground in their houses, to the School Mills to be ground there ;—and that they should not carry, bring, or suffer the same to be brought or carried, to any other than the School Mills ;—which injunction did issue accordingly, and they and the several other burgesses submitted thereto, and brought their corn and malt, to be spent and used ground in their houses, to the mills to be ground, and continued so to do for several years.

In the time of the Interregnum, when every thing was in confusion, and the Feoffees were either dead or delinquent, except one, who, by the statutes of the school, had no power to act, the inhabitants ground their corn where they pleased, and the revenues of the school fell into a very dilapidated state ;—To put a stop to such a state of affairs, and to restore the ancient rights of the foundation, it was ordained in Parliament on the 6th of March, 1647, “that Sir Alexander Radcliffe, Knight, Ralph Assheton, Richard Holland, Robert Hyde, Richard Radcliffe, Richard Howarth, Thomas Birch, and John Lightbourne, Esquires, and Humphrey Booth, Edward Johnson, Richard Fox, and Richard Lomax, Gentlemen, be made Feoffees.”—These gentlemen accepted the trust, and, on the 29th of January, 1648, leased the mills, for the space of ten years, to John Hartley, Esq. for the yearly rent of £130.

In 1650, a Bill was exhibited by Mr. Hartley against Joseph Werden and Henry Bowker, for withdrawing the soke, by setting up a common brew-house in the College, and grinding their malt elsewhere than at the School Mills, and for selling ale and beer, brewed and made thereof, to the inhabitants of Manchester ;—Werden answered to the Bill, and insisted that he kept a common brew-house and ground his malt where he pleased, sometimes at Sir Edward Mosley’s mill, who was Lord of the Manor, and at other times elsewhere, and sold ale and beer to the inhabitants, and that the brew-house was in the College, which formerly belonged to the Earl of Derby, and that the College owed no suit and service to the School Mills ;—On reading the before-mentioned orders and decrees, as well as many others of a similar nature, and several decrees for amerciements of Courts Leet, held for the manor, for the better enforcing a due obedience to the said decrees ;—It was ordered and decreed, on the 15th February, 1652, that the custom should be, and thereby was established, against the defendant Werden, and that he should grind all his corn and malt, that he brewed into ale or beer and sold in the town or liberties thereof, at the School Mills, and at no other mills whatsoever, and that he should

pay to the said Hartley his costs; to which decree he submitted, and paid £43. 6s. 8d. costs, and afterwards ground all his corn and malt at the School Mills, and continued so to do.

In 1670, complaint being made in the Duchy Court by Nicholas Mosley, farmer of the mills, that several persons had withdrawn their soke, and several affidavits being produced, shewing that Samuel Moreton and others, inhabitants of Manchester, had ground several quantities of wheat, malt, and barley at other mills, and not at the said mills;—It was decreed, on the 6th of May, that process should be awarded against the said persons, in the nature of a *scire facias*, to bring all their corn or malt to the School Mills, there to be ground, and not elsewhere, or, that they, on being served with such process, should shew cause, on the 10th of June, then next ensuing, why they did not grind their corn accordingly.

And to the intent that they, and all others the inhabitants might be more fully informed, and the better take notice of the said decree, it was ordered that the said Mosley should cause the same to be openly published in the market-place, at high market, on a market-day.

In 1701, another Bill was exhibited in the Duchy Court by Oswald Mosley, Esquire, then farmer of the mills, against Francis Davenport, Richard Davenport, Roger Sedgwick, and Margaret Scholefield, for erecting mills in Salford, or elsewhere, near adjoining to the manor;—and that Davenport and Sedgwick, being inhabitants of Manchester, had withdrawn their soke from the School Mills, and spent and used in their houses meal and flour or malt ground at some other than the School Mills;—And, to that end, had bought meal, flour, and malt, ready ground, of Richard Davenport and Scholefield, who are inhabitants of Salford, and kept mills there, and sold meal, flour, or malt ready ground to others within Manchester, to be spent and used in their houses;—whereto they appeared and answered;—And the cause being heard on the 23rd February, 1703, and on debate thereof and the reading the afore-mentioned orders and decrees, and several others of the like kind, and the depositions of several witnesses, the Court was fully satisfied that all the tenants, resiants, and inhabitants of the town and limits thereof ought by custom to grind all their corn and malt, to be used, spent, or ground in their houses, at the School Mills, and ought not to buy meal, flour, or malt ready ground, in evasion of the custom. And that all foreign millers ought to be prohibited from fetching and grinding elsewhere, and re-carrying into the town and manor any their corn or malt ready ground for that purpose; and likewise from selling them any corn or malt ready ground, in evasion of the custom and the rights belonging to the mills. And, therefore,

it was ordered and decreed, that the custom should be, and thereby was established, against the defendants, Francis Davenport and Sedgwick, being inhabitants of the town ;—and that they should grind all their corn and malt, to be spent ground and used in their houses, at the School Mills, according to the custom ; and should not buy meal or malt ground, in evasion of the same. And, Davenport being dead, it was ordered and decreed against the defendant, Scholefield, that she, her servants, millers, leaders, or carriers, or any of them, should not, knowingly, receive to grind, nor re-carry ground, any corn or malt, for any of the inhabitants of Manchester, or limits thereof, nor sell any corn ready ground, in evasion of the custom ; and that Francis Davenport and Sedgwick should pay plaintiff, Mosley, his costs, and that injunction should issue, to which obedience has ever after been paid.

N. B.—It was objected, in the defendant's answer, that the plaintiff Mosley, himself, had a horse-mill in the Hanging-ditch, in the town, at which he ground malt for the inhabitants, &c. To which Mosley replied specially, and disclaimed, at large, in the most effectual manner, all right and title to the use of the said mill, in prejudice of the School Mills.

In 1728, October 18th, another Bill was exhibited in the same Court by Joseph Yates and William Dawson, then farmers, against Gamaliel Loyd, John Smith, Isaac Clegg, Thomas Newton, Jeffrey Hart, Ralph Fysher, James Webster, and others, for erecting a brew-house in Salford, and some for selling ale and beer brewed therein to the burgesses of Manchester, without grinding the malt, of which the ale and beer was made, at the School Mills, to which, by custom, it belongs, without making any satisfaction for so doing. Whereupon an injunction was ordered to issue against them, whereby they were required, under pain of forfeiting £100. to grind all their corn and malt that should be spent ground in their houses at the School Mills, and not elsewhere ; which injunction issued accordingly, and they submitted thereto, and brought their corn and malt to the said mills, and continued so to do.

Soon after, another motion was made by the said Yates and Dawson, for leave to amend their Bill, which was granted, and thereupon the Feoffees were made party to the Bill, with the said farmers, this being advised by counsel. The cause came to a hearing, but the judges insisting that an issue ought to be directed for trying the custom at common law, and the plaintiffs knowing that they had laid the custom too large for such a trial, having included in it oats, which had not been ground at the School Mills for above sixty years, and even in that case by no provision in the charter, they dropped the suit and paid the costs.

In 1732, another Bill was exhibited in the Duchy Court, by the said Yates and Dawson and the Feoffees, against Sir Oswald Mosley, for erecting a malt mill in the Hanging-ditch, and for grinding malt for the inhabitants of Manchester, to which he appeared and answered;—In 1736 it was decreed and ordered, that the said Sir Oswald should discontinue, and that all the inhabitants should faithfully observe the payment of the tolls and customs to the School Mills.

The town of Manchester rapidly enlarging, and frequent evasions of the tolls still continuing, numberless prosecutions under the privy seal, besides others in the Duchy Court, were carried on, until, in the end, it became necessary to institute some regulation, which might, at the same time, put a stop to a continued series of vexatious litigations, and protect the interests of the school, by securing a satisfactory equivalent, in lieu of the deficiency occasioned by the change. With this view, therefore, an Act of Parliament was passed in the 32nd year of the reign of his late Majesty George the Second, and in the year of our Lord, 1758, whereby, after reciting that the water corn mills, called the School Mills, situate upon the river Irke, within the town of Manchester, had been granted, with their premises, to Feoffees, in trust, for the maintenance of a Free Grammar School within that town, and that the said Feoffees had, from immemorial custom, claimed a right to grind at the said mills all the corn, grain, and malt, which should be used ground by the tenants, inhabitants, and resiants of and within the said town, and had at different periods commenced suits in the Duchy Court of Lancaster, in which decrees had been obtained, whereby the said right had been, in the whole, or in part, confirmed;—and reciting that the said mills were sufficient for the grinding all malt, used ground, within the said town, but by the great increase of population since the foundation of the charity, the continuance of the said custom might subject the inhabitants to difficulties in procuring a sufficient quantity of meal and flour for their consumption, and the Feoffees and inhabitants might not only be involved in farther suits and differences, but the carrying on of trade and manufactures be obstructed;—and reciting, that the discharging the said tenants, inhabitants, and resiants from the custom of grinding any corn or grain at the said mills, other than malt, and securing to the Feoffees, for the use of the said charity, such satisfaction or equivalent as was thereafter mentioned, for any deficiency which might be occasioned in the profits of the said mills by such discharge, would be to the mutual advantage of the said town and charity;—It was enacted, that all the tenants, inhabitants, and resiants of and within the town of Manchester, and the limits and precincts thereof, should be thereby freed, discharged, and for

ever exempted from the said custom of grinding, at the said mills, any corn or grain whatsoever, malt only excepted ;—and it was further enacted that the said custom of grinding malt at the School Mills should be thereby established and confirmed, save as to the tolls to be payable for the same, and the carrying and re-carrying of such malt ; and that all such tenants, inhabitants, and resiants of and within the said town, and the precincts and limits thereof, should grind at the said mills, and not elsewhere, all the malt which they should spend ground within the said town or the precincts or limits thereof, and that every such tenant, inhabitant, and resiant should pay for the grinding of such malt at the said mills, and for carrying the same to and from their respective dwelling-houses, the sum of one shilling and no more, for the grinding of one load, containing six bushels, or twenty-four pecks of malt, of Winchester measure, and so in proportion for any greater or less quantity, in lieu and satisfaction of the customary toll of one twenty-fourth part, theretofore taken for the grinding of such malt.

The act also contains provisions for enforcing the grinding of malt by the inhabitants at the said mills, and the above-mentioned payment for the same, and other regulations relating to the management of the mills.

OF THE REVENUES AND EXPENDITURE.

OF THE REVENUES.

The Act of Parliament before-mentioned, passed in the thirty-second year of the reign of George the Second, conveys also to the Feoffees for the time being a power, with the consent of the President of Cõrpus Christi College, Oxford, the Warden of the Collegiate Church of Manchester, and the High Master of the School for the time being, in writing, to sell or exchange all, or any part of, the trust estate, (the said water corn mills, with the appurtenances, excepted,) to any persons, for such price or other equivalent as to them should seem reasonable, discharged from all the uses and trusts of the said charity ; provided, that all sums which should arise by such sales should be applied (with such consent as aforesaid) in the improvement of the residue of the said trust estate, or otherwise be laid out by the Feoffees for the time being (with such consent) in the purchase of other lands, tenements, and hereditaments, in fee-simple in

possession, in the counties of Lancaster and Chester, which should be settled upon the same trusts for which the said charity was originally founded; and that, until the money arising by such sales should be invested in purchases, it should be placed out upon government or real securities, at interest, by the Feoffees for the time being, with such consent as aforesaid, and that the interest thereof should be applied for the same purposes as the rents of the lands to be purchased therewith would be applicable unto.

And the Feoffees were also empowered to let the said mills and the lands of the charity for any term not exceeding thirty-one years in possession, at the best yearly rent.

And the said water corn mills already erected, or thereafter to be erected, and all other buildings and conveniences to be thereafter made upon any part of the said trust estate, for the use, enjoyment, or better occupation of the said mills, and also all other the messuages, tenements, lands, and hereditaments, with their appurtenances, then belonging to or vested in the said Feoffees, as part of the trust estate, situate in Manchester, and the tolls and other profits to arise from the same, were thereby discharged from the payment of all taxes, rates, levies, charges, assessments, and impositions whatsoever, which were then or should be assessed or imposed upon the same, the land-tax, and the rates or duties on houses, windows, and lights, and all future aids or taxes to the government only excepted. Provided always, that this should not extend to discharge any houses or other buildings, thereafter to be erected upon new foundations upon any part of the said trust estate, except as aforesaid, from any taxes, rates, &c.

The following purchases of property in Manchester, in the neighbourhood of the School and Mills, have been, from time to time, made by the Trustees:—

In 1699, they purchased from John Beswick and Hannah Beswick, for £325. a messuage in Mill-Gate, Manchester, then in the tenure of Frances Franklin, widow, which now forms part of the premises in the occupation of the High Master.

In 1791, from Samuel Jones and others, assignees of William Edge, a bankrupt, for £660. several messuages or cottages, with the appurtenances, near to the Mill-Gate, and near to the water corn mill, called the Higher Mill.

In 1801, from Joseph Boardman and others, for £714. 16s. several messuages in the street called Long Mill-Gate, otherwise the Apple Market, on the north side of the Old Church, the site thereof containing, in the whole, 353 square yards.

In 1804, from William Waterworth, for £400. a messuage, with the shops and outbuildings therewith occupied, on the north side of the Collegiate Church,

at the west end of Long Mill-Gate, on part of the site of which the Trustees had lately erected part of a new house and outbuildings, and also other outbuildings or improvements, for the houses formerly erected thereon.

In 1809, from Mary Dawson, widow, for £450. all the messuages, cottages, and buildings, situate in Long Mill-Gate, which had been, by indentures of lease and release, of the 20th and 21st January, 1786, conveyed by Thomas Livesay to James Dawson, subject to a yearly rent of £18.

In 1815, the Trustees being possessed of £8,300. three per cent consols, which had been, from time to time, purchased with the surplus funds of the charity, sold that stock, with a view of increasing the income, and purchased £5,600., navy five per cents, in addition to £1,400. in the same stock, which they had previously purchased in the same year, making, in the whole, £7,000. five per cents. In 1821, £800. of this stock was sold, in order to pay off a debt incurred to make up the purchase-money of the premises bought of Mr. Howard. Upon the reduction of the interest of the navy five per cents, in 1822, the trustees became possessed of £6,510. four per cents, which stock now stands in the names of John Entwisle, deceased, John Ford, the Rev. John Clowes, and the Rev. Jeremiah Smith, D. D.; and in 1823 an additional purchase was made of £800., in the same stock, now standing in the three last of those names, the dividends of the whole amounting to £292. 8s. per annum.

Since this period there have been no purchases of stock, but large sums have been in the intermediate period expended in the purchase from Mr. Howard, and in the new buildings and improvements of the mills, &c.

In 1819, the trustees purchased from James Howard, for £1050., a messuage, cotton factory, and land, on the northern side of the Mill-Gate, subject to an annual rent of £26. 5s., and several cottages, built by one George Tengatt, adjoining to the said cotton factory.

Under the powers of this act also, several plots of land, forming part of the school property in Ancoats, were, in the years 1787 and 1789, sold by the Trustees to various purchasers, for the purpose of building thereon, subject to perpetual yearly rents, calculated on the number of superficial square yards in each plot, partly at 1d. and partly at 1½d. per yard, amounting, in the whole, to £70. 6s. 2½d., the particulars of which rents will be found in the rental hereinafter stated.

In 1800, nine plots of land, forming the residue of the property in Ancoats, were sold in the same manner, by nine several indentures of feoffment, to James Mallalieu and others, at perpetual rents, amounting, in the whole, to £956. 1s. 8d. per annum, which will also be specified in the rental. The last-mentioned

rents are now paid by the Ashton Canal Company, for whom the lands are stated to have been purchased of the Trustees, but a great part of them have been sold off by the Company, and are now in the possession of individuals, and many houses and other buildings have been erected upon them. Previously to the sales of the lands in Ancoats they were in the occupation of the Trustees, and were used for depasturing the horses employed at the mills.

A close, called Walker's Croft, situate near the river Irk, formed part of the original property of the charity. In 1815, nearly the whole of this close was sold by the Trustees to the Churchwardens of Manchester, for the purpose of forming a burying-ground, at the price of £1899. 5s. 6d., being the amount of twenty years purchase on the number of square yards therein, at 3d. per yard, with the addition of the price of some old building materials. In 1818, a small house in one corner of this land, and two gardens or plots of land, which had been occupied by the High Master and Second Master respectively, forming the residue of Walker's Croft, were sold to Mrs. Clowes for £300.

Upon a deed for the appointment of Trustees, in the third year of the reign of Charles the First, is mention of a messuage and lands in Farnham, in the county of Essex, given to the charity by Mr. Robert Clough, the rent of which is £4. 3s. 4d.—I have not been able to find any particulars of this gift, but am informed that a small old house, near Bishop's Stortford, belonging to the school, (and probably the same property,) was, about the year 1776, sold by the Trustees for £210., (having been previously let at £5. 5s. per annum,) in order to discharge a debt incurred in building the present School.

The following Rental will shew the present state of the Property, all of which is situate in the township of Manchester:—

NO.	LESSEES.	PREMISES.	TERM.	RENT.	ANNUAL VALUE.	OBSERVATIONS.
1	Eli Stott.....	A small House in the Apple Market	Yearly Tenant	£. s. d.	Fair Rent.	
2	Ralph Forster.....	A House and Shop in the Apple Market, part of which is under-let by the tenant.....		13 13 0		
3	David Bullock.....	A House and Shop in Long Mill-Gate, adjoining to No. 2.....	Ditto	55 0 0	Ditto	
4	James Hellawell....	Part of a House adjoining No. 3, consisting of one back room below, and all the upper part, (the front room, on the ground floor, adjoining part of the High Master's house)	Ditto	26 0 0	Ditto	
5	Rev. J. Smith, D.D.	A House and Outbuildings, occupied by the High Master, rent free.....	Ditto	18 0 0	Ditto	
6	Rev. Jno. Johnson	A House in Long Millgate, formerly appropriated to the Second Master	—	—	—	
7	Thomas Hilditch..	A House adjoining No. 6.....	Ditto	30 0 0	Ditto	
8	John Lindley.....	A small House, in the occupation of the Clerk of the Mill, rent free...	Ditto	30 0 0	Ditto	
9	William Taylor....	A small House, in the occupation of the Clerk of the Mill, rent free...	—	—	—	
10	John Proctor.....	A House and Shop in Long Mill-Gate	Ditto	25 0 0	Ditto	
		A Cottage in Howard's Court, Ditto..	Ditto	8 0 0	Ditto	

RENTAL CONTINUED.

NO.	LESSEES.	PREMISES.	TERM.	RENT.			ANNUAL VALUE.	OBSERVATIONS.
				£	s.	d.		
11	Edward Gardner...	A Cottage in Howard's Court, Long Mill-Gate..	Yearly Tenant.	8	0	0	Fair Rent.	
12	Eliz. Hardman...	Ditto.....	Ditto	7	0	0	Ditto	
13	Michael Roberts...	Ditto.....	Ditto	7	0	0	Ditto	
14	Thomas Caistor...	A Water Corn Mill, called the Higher School Mill, on the town-side of the river Irk, with several Cottages adjoining.....	14 Years, from Xmas, 1825	250	0	0	Ditto	The Tenant to keep the premises in repair.—The previous rent £200.
15	Ner & Lot Gardner	A Woollen Mill and Cottage, lately erected on a slip of waste land, on the opposite side of the river Irk.....	14 Years, from Xmas, 1825	126	0	0	Ditto	The cost of building this Mill, in 1825, being £1,686., was paid by the Trustees out of the funds of the charity, and the rent is calculated at 7½ per cent. on that amount.—The Tenants keep the premises in repair.
16	John Williams and Richard Butler	A Fellmonger's Warehouse, Workshop, Cottage, &c. formerly called the Middle School Mill, on the same side of the river Irk as No. 15.	14 Years, from Xmas, 1825	130	9	0	Ditto	Of this rent £41. 14s. is paid as the interest, at 7½ per cent., on £556. laid out by the Trustees, in alterations and improvements of the premises.—The Tenants to keep them in repair.
17	In the occupation of the Trustees	A Malt and Corn Mill, called the Lower School Mill, on the town-side of the river Irk, with Warehouses, &c.....	—	—	—	—	—	
18	—	Rents of the Lands at Ancoats, the particulars of which are stated below.....	—	—	—	—	—	
				£1026 7 10½				
				Total. £1760 18 10½				

Names of the Grantees of the Lands at Ancoats, with the amount of their respective Rents :—

£. s. d.			£. s. d.		
Thomas Clayton, now Elizabeth Clegg.....	19	14	11	John Andrew, now John Mellon.....	1 7 1½
Thomas Shaw, now John Golden.....	6	17	1	John Mallalieu and others, now the Asbton Canal Company.....	120 0 0
Humphrey Harpur, now Samuel Bury.....	4	1	1	Ditto.....	120 0 0
William Grundy, now George Crompton.....	7	19	0	Ditto.....	100 0 0
John Penny, now T. L. Phillips.....	2	6	6	Ditto.....	100 0 0
James Bottomley.....	1	19	10	Ditto.....	100 0 0
Ditto.....	3	15	7	Ditto.....	100 0 0
Alice Walker, now James Scholes.....	2	7	11	Ditto.....	116 1 8
Jacob Booth.....	3	2	6	Ditto.....	100 0 0
Samuel Swindells.....	3	5	10½	Ditto.....	100 0 0
John Leah.....	3	13	8½	Ditto.....	100 0 0
Aaron Blackshaw, now John Cooper.....	1	3	3		
William Goodall, now John M'Michael.....	6	7	10		
William Goodall, now Thomas Porter.....	2	4	0		
			£1026 7 10½		

The amount of the Receipts and Disbursements, on account of the Mill, for the last five years, each year ending in August, has been as follows :—

	Receipts.			Disbursements.			Clear Produce.		
	£.	s.	d.	£.	s.	d.	£.	s.	d.
1821				1794	14	11	681	4	5
1822				2301	11	5½	788	1	3
1823	Malt.....	£2233	16 0½	2865	0	8½	752	8	5
	Wheat.....	631	4 8				2113	12	3½
1824	Malt.....	£2478	18 2½	3251	17	0½	931	15	9
	Wheat.....	772	18 10				2320	1	3½
1825	Malt.....	£2560	7 7	3173	1	6	922	2	0
	Wheat.....	612	13 11				2250	19	6

The dividends of the stock are received through the Bank of Messrs. Jones, Loyd, and Co., of Manchester. Mr. Twyford also pays into their bank the sums received by him, and receives money from thence when required for the necessary expenditure of the charity. Messrs. Jones, Loyd, and Co., for the balances in their hands, allow interest, the amount of which was at Christmas, 1825, raised to $3\frac{1}{2}$ per cent. from three per cent., to which it had been reduced in 1823.—The sums thus allowed for interest amounted,

In 1821 to	£12 17 4
In 1822 to	29 17 4
In 1823 to	30 8 8
In 1824 to	82 4 10
In 1825 to	104 11 9

These payments for interest have not hitherto been inserted in the general statement of Income and Expenditure, which is made by Mr. Twyford at the close of each year's account, but they appear in the account kept between the Trustees and the Bankers.

At the time of making up the accounts for the year ending in August, 1825, the balance in the bank was £3,879. 11s. 1d., and the amount of it was nearly the same in 1826. The balance has accumulated to its present very large amount principally in consequence of the great increase of the profits of the mills within the last few years, and I am informed it has been retained in the hands of Messrs. Jones, Loyd, and Co., instead of being invested in the funds, with a view of providing new houses for the High and Second Masters of the school.

The total Income of the Trust, for the year 1825, may be thus stated:—

Rents, subject to deductions for repairs of the premises let to yearly tenants.....	£.	s.	d.
Clear produce of the Mills.....	1760	18	10 $\frac{1}{2}$
Dividends of Stock.....	2250	19	6
Interest from Messrs. Jones, Loyd and Co.....	292	8	0
	104	11	9
	<u>£4408 17 1$\frac{1}{2}$</u>		

EXPENDITURE.

The principal items of expenditure, in addition to the disbursements relating to the mills, which, in the statement before given, have been deducted from the gross receipts arising therefrom, are as follow:—

1.—The salaries of the Masters and Assistant Masters of the school, the number of which has been the same for many years past, but their

salaries have been, from time to time, augmented to their present amount viz. :—

The High Master ^p	£416	0	0	} £ s. d.	446	0	0
To which an additional allowance has lately been							
made for a Teacher of Mathematics of.....	30	0	0				
The Second Master ^p ...					218	0	0
The High Master's Assistant.....					160	0	0
The Second Master's Assistant.....					125	0	0
The Master of the Lower School.....					120	0	0
					<u>£1069</u>	<u>0</u>	<u>0</u>

From 1815 to 1825, an allowance, amounting, for the first three years, to £40. and afterwards to £20. per annum, was made to Mr. Pedley, who had held the situation of Assistant Master many years, and had retired, in consequence of age and infirmity.

2.—The Exhibitions paid to Scholars at the Universities, chosen from this school, which have been increased from time to time, both in number and value. The last augmentation of their amount was in 1805, from £35. to £40. and the last addition to their number was in 1824, from 10 to 12, making this whole amount £480. per annum.

3.—The repairs and taxes of the High Master's house.

4.—The rent, rates, and taxes of the Second Master's house.

5.—The repairs of the school and of the houses let to yearly tenants.

6.—The salary of the receiver, which was, in 1810, £80., and, on the cessation of the property-tax, received an addition of £8., the amount of that tax which the Trustees had previously paid, and, in 1824, a farther addition of £12., making its present amount £100.

7.—A chief rent of £10. 2s., paid to Sir Oswald Mosley, Bart. Lord of the Manor of Manchester, for a part of the school property ; a rent of £18. paid to Mr. Joseph Livesay, for the property purchased of Mary Dawson, in 1809 ; a rent of £26. 5s., paid to Mr. George Smith, for the property purchased of Mr. Howard, in 1819 ; and an annual payment of £54. 3s. 7d., for the insurance of the buildings against fire.

The sums paid for taxes, chief rents, and insurances, during the last five years, have been,

In 1821.....	£ 68	14	4
In 1822.....	196	5	0
In 1823.....	191	7	7
In 1824.....	119	4	5
In 1825.....	128	11	5

^p Since writing this account, the salary of the High Master has been increased to £500., and that of the Second Master to £300.

8.—Occasional bills paid to Messrs. Eccles and Co. solicitors. In the account for the year 1821 there is a charge of £169. 8s. for their bill, for seven years professional business.

9.—The expenses incurred at the meetings of the Trustees, of a dinner for the Trustees, the Warden of the Collegiate Church, the High Master, the Second Master, and the Solicitor of the Trustees.

The annual meeting is holden on the first Tuesday in October, and within the last few years an additional meeting has been holden on the Tuesday in Easter week, for transacting the general business of the trust. The following charges appear in the accounts for the expenses of these meetings, from 1819 to the present time:—

		£.	s.	d.
1819	October and	Dinners.....	23	18
1820	April,			
1820	October,	Dinner	13	12
—	November,	Wine purchased.....	21	0
1821	April,	Dinner	2	13
—	October,	Ditto	11	10
1822	April,	Ditto	11	4
—	October,	Ditto	15	6
1823	October,	Ditto	14	11
1824	October,	Ditto	8	14
1825	March,	Wine purchased.....	33	19
—	October,	Dinner	9	0

In a general summary, stated at the end of the receiver's accounts for each year, is an item of sums expended on the estate, which includes the payments for the repairs and alterations of all the buildings, (except the mills) and for the Trustees' meetings. The amount of this item in the last five years was as follows:

1821.....	£ 441	6	0
1822.....	1058	19	11
1823.....	489	11	10
1824.....	413	13	11
1825.....	397	12	0

The High Master, in addition to his salary before-mentioned, receives an annual sum of £3. 11s., from the receiver of the rents of the Duchy of Lancaster, alluded to at page 8, which, with 9s. retained by the receiver for the trouble of making the payment, forms a grant of £4., of which there is not any trace among the school documents now existing.

It will appear, from the foregoing statement of the income and expenditure, that the present receipts of this charity greatly exceed its disbursements. The amount of the sums received for grinding malt and wheat at the mill must necessarily be subject to fluctuation; but, if an allowance be made for the probability of a reduction in that branch of the income, there will still be a very considerable surplus.

OF THE EXHIBITIONS AND SCHOLARSHIPS.

Manchester School is extremely rich in Exhibitions and Scholarships to both Universities.

There are twelve Exhibitions for Scholars, educated at this Institution, of £40. each, to any College or Hall in the Universities of Oxford or Cambridge, payable out of the surplus funds of the School Estates, and to be continued to the Exhibitioners, until such time as they shall have obtained promotion to a certain amount, either by fellowship or otherwise, as the case may be.

There are also fifteen other Exhibitions for Under-graduates of Brazennose College, Oxford, to be continued during four years, from the period of the thirteenth term from their matriculation, to such amount as the Nominators shall think meet and reasonable, but not in any case to exceed the sum of two hundred and twenty pounds per annum; these Exhibitions are payable from Mr. Hulme's estates, devised for that purpose.

Sixteen Scholarships to Brazennose College, Oxford, and sixteen to St. John's College, Cambridge, of different values, from £18. to £26. per annum, are enjoyed by the young men educated at Manchester School, in turn with those of Hereford and Marlborough Schools, arising from the foundation of Sarah, Duchess of Somerset, who settled estates for those purposes.

Six Scholarships to Magdalen College, Cambridge, amounting to £24. each, to which the Scholars of Manchester School have, *ceteris paribus*, a prior claim.—These are on the foundation of the Rev. John Smith, formerly President of that College.^a

^a “Mr. John Smith, sometime Fellow and President of Magdalene College, in Cambridge, founded two bye-fellowships in Magdalene College, Cambridge.—He also founded six Scholarships, leaving a clause, that if there be any students in the College of the Free School of Manchester, that they be preferred, *ceteris paribus*; that the poorest and most hopeful be chosen; and that they receive yearly £4. a-piece.—Mr. Smith died in 1638.”

The *Manchester* Exhibitions, arising from the surplus funds of the School Estates, are created and appropriated by the fifth item of that section of the Statutes which has reference to the duties of the Feoffees; which item runs as follows:—

“When it shall happen the chest to be at surplusage the sum of £40. sterling, the rest to be given to the Exhibition of Scholars, yearly, at Oxford or Cambridge, which have been brought up in the said school of Manchester, and also only such as study Arts in the said Universities, and to such as lack Exhibition, by the discretion of the said Warden, or deputy, and High Master, for the time being, so no scholar have yearly above 26s. 8d. sterling;—And that till such time as he have promotion by Fellowship of one College or Hall, or other Exhibition to the sum of seven marks.”

The amount of these Exhibitions has varied, according to the quantum of surplusage, from time to time. The first payment on record was granted in the year 1685.

1685, October 16	To Mr. Warden.....	£16
1686,	To Ditto.....	£20
1690,	To Mr. Hyde, for his Son.....	£10
1691,	To Ditto, for Ditto.....	£15
—	Exhibition for Clark.....	£ 5
1692,	For Exhibitions.....	£23
1693,	Ditto.....	£33
1694,	Ditto.....	£34
1695,	Ditto.....	£31
—	Ditto.....	£31
1696,	Ditto.....	£31
1697,	Ditto.....	£24
—	Ditto, to six persons....	£34
1699 } 1700 }	Messrs. Hall, Withers, Lomax, Finch, Duckworth, Dale, £6. each	£36
1701	Messrs. Duckworth, Withers, Lomax, Hall, Finch, Dale, Brownsword, Dickson, Bateman, Aynscough.....	£47
1702	Messrs. Withers, Hall, Finch, Dale, Dickson, Brownsword, Bateman, Aynscough.....	£45
1703	Messrs. Hall, Finch, Dale, Dickson, Brownsword, Aynscough, Bateman, Gardiner, Briscoe.....	£50

On the 18th October, 1703, an order was made that “Exhibitions to be paid from the school, shall be given only to such scholars as shall continue three years

at the said school, unless any extraordinary occasion or case may happen to alter that order, at the judgment of the Feoffees."

1704	Messrs. Dickson, Brownsword, Aynscough, Bateman, Gardiner, Briscoe, Rylands, Foster, Ashton.....	£52
1705	Messrs. Bateman, Rylands, Legard, Briscoe, Bouchier, Platt, Brooke, Ashton	
1706	Messrs. Ashton, Wall, Worden, Rylands, Worsley, Legh, Martin, £5. each... ..	£35
1707 }	Messrs. Wall, Worden, Worsley, and Dale, £5. each.	£20
1708 }		
1709	Messrs. Wall, Worsley, Dale, £6. each, Bolton £5.....	£23
1710	Mr. Bolton.....	£ 8
1711	Mr. Bolton....	£ 8
1712	Messrs. Bolton, Gray, Hulton, Barret, Birch.....	£30
1713	Messrs. Ashton, Gray, Sedgwick, Hulton, Birch, Newcome.....	£30
1714	Messrs. Ashton, Sedgwick, Gray, Hulton, Birch, Barret, Bolton, Newcome, and Allison.....	£45
1715	Messrs. Sedgwick, Gray, Newcome, Birch, Oldfield, Hulton, Barret, Ashton, Foxlowe, Brooke, and Taylor.....	£58
1716	Messrs. Sedgwick, Newcome, Ashton, Brooke, two Foxlowes, Nicholls, Taylor, and Oldfield.....	
1717	Messrs. Taylor, Oldfield, two Foxlowes, Nicholls, Brooke, Southworth	
1718	Messrs. Oldfield, Nicholls, Southworth, Brooke, two Foxlowes, Walley, Prichard.....	£40
1719	Messrs. Hurst, Foxlowe, Nicholls, Southworth, Drake, Walley, and Prichard.....	£35
1720	Messrs. Walley, Drake, Prichard, Hurst, Allanson, Southworth....	£33
1721	Messrs. Parr, Allanson, Drake, Prichard, Hurst.....	£25
1722	Messrs. Allanson and Parr.....	£11
1723	Messrs. Hurst, Parr, Skrigley.....	£18
1724	Messrs. Chadwick, Skrigley, Arrowsmith.....	£30
1725	Messrs. Chadwick, Brookbank, Arrowsmith.....	£36
1726	Messrs. Brookbank, Arrowsmith, Sandforth, Clayton and Loyd....	£50
1727,	June 9th, Messrs. Arrowsmith, Sandforth, Clayton, Thyer.....	£40
1728,	May 7th, Messrs. Thyer, Kippax, Russell, Clayton.....	£40
1729	Messrs. Russell, Scholes, Rowbotham, Thyer, and Kippax.....	£50
1730	Messrs. Russell, Scholes, Rowbotham, Kippax.....	£40
1731	Messrs. Rowbotham, Kippax, Thyer, and Peak.....	£40
1732	Messrs. Rowbotham, Peak, Howard, and Barlow.....	£20

1733	Messrs. Rowbotham, Peak, Howard, and Barlow.....	£20
1734	The same.....	£20
1736	Messrs. Felton, Ogden, Aynscough, Barton.....	£20
1737	Messrs. Felton, Ogden, Aynscough, Barton, and Edge.....	£25
1738	Messrs. Felton, Ogden, Aynscough, Barton, Edge, and Lawson.....	£40
1739	The same.....	£42
1740	Messrs. Lawson, Barton, Ellenson, Barton, Coppock, Knowles.....	£60
1741	Messrs. Lawson, Barton, Ellenson, Barton, Coppock, Knowles, and Crichley.....	£70
1742	Messrs. Stanhope, Ellison, Barton, Coppock, Knowles, Crichley, Hoole, Blacow.....	£80
1743	Messrs. Knowles, Hoole, Blacow, Twyford, Taylor, and Winder.....	£60
1744	Messrs. Blacow, Twyford, Taylor, Winder, Watson, and Rich.....	£60
In this year a reference was made to the order passed in 1703, respecting a residence in the School of three years, and no Exhibition to be paid contrary to that order.—Dated 12th June.		
1745	The same Exhibitioners and Mr. Seddon.....	£70
1746	Messrs. Taylor, Winder, Seddon, Jackson, Harrison, and Watson....	£60
1747	Messrs. Seddon, Jackson, Harrison, Woolright, Salter, Morris, Kynaston.....	£70
1748	Messrs. Seddon, Jackson, Harrison, Woolright, Morris, Kynaston, Mount- joy, and Pearce.	
1749	Messrs. Jackson, Woolright, Morris, Kynaston, Mountjoy, Pearse, Holland, and Tetlow.	
1750	Messrs. Woolright, Mountjoy, Pearse, Holland, Garton, and Hallifax.	
1751	Messrs. Mountjoy, Pearse, Holland, Garton, Hallifax, Gwyn, and Millward.	
1752	Messrs. Holland, Garton, Hallifax, Gwyn, Millward, Whitaker, Darwall.	
1753	Messrs. Millward, Gwyn, Whitaker, Darwall, Manifold, Nabb, Harding.	
1754	The same and Bromley.	
1755	Messrs. Whitaker, Darwall, Manifold, Nabb, Harding, Bromley, Bates, Massey.	
1756	Messrs. Manifold, Harding, Bates, Massey, Crallam, Wild, Harrison, Stopford.	
1757	Messrs. Bates, Massey, Crallam, Wild, Harrison, Stopford, Hodson, and Whalley.	

No entries from 1757 to the year 1777.

* After this year the respective amounts are not specified.

- 1777 Messrs. Joshua Brooks, Ashworth, Popple, Penny, Porter, Leigh, Bowness, Hatfield.
- 1778 Messrs. Porter, Ashworth, Penny, Hadfield, Bancroft, Nicholls, Roe, Lawson.
- 1779 Messrs. Ashworth, Hadfield, Bancroft, Nicholls, Roe, Lawson, Wright, Lawson.
- 1780 Messrs. Hadfield, Bancroft, Nicholls, Roe, Lawson, Wright, Lawson, Maddock.
- 1781 Messrs. Bancroft, Nicholls, Roe, Lawson, Wright, West, Lawson, Maddock, Hodges.
- 1782 Messrs. Wright, West, Lawson, Maddock, Hodges, Cardale, Radcliffe, Holt, Cawley.
- 1783 Messrs. Maddock, Hodges, Cardale, Radcliffe, Holt, Cawley, Henshall, Upton.
- 1784 Messrs. Hodges, Cardale, Radcliffe, Holt, Cawley, Henshall, Upton, Outram.
- 1785 Messrs. Cardale, Radcliffe, Holt, Cawley, Henshall, Upton, Outram, Rasbottom.
- 1786 Messrs. Henshall, Upton, Outram, Rasbottom, Brett, Hindley, Fenwick, and Wheldale.
- 1787 Messrs. Outram, Rasbottom, Hindley, Fenwick, Wheldale, Hodson, Starkey, and Middleton.
- 1788 Messrs. Rasbottom, Hindley, Fenwick, Wheldale, Hodson, Starkey, Middleton, and Drake.
- 1789 Messrs. Hindley, Fenwick, Wheldale, Hodson, Starkey, Middleton, Drake, and Meyricke.
- 1790 Messrs. Hodson, Starkey, Middleton, Drake, Meyricke, Darcy, Evans, and Deane.
- 1791 Messrs. Drake, Meyrick, Darcy, Evans, Deane, Howard, and Webster.
- 1792 Messrs. Meyrick, Evans, Deane, Howard, Webster, Hodgkinson, Porter, and Boardman.
- 1793 Messrs. Evans, Deane, Howard, Webster, Hodgkinson, Porter, Boardman, and Swainson.
- 1794 Messrs. Webster, Hodgkinson, Porter, Boardman, Swainson, Steele, and Williams.
- 1795 Messrs. Hodgkinson, Porter, Boardman, Swainson, Steele, Williams, Grime, Meyrick, Blomeley, and Gell.
- 1796 Messrs. Swainson, Steele, Williams, Grime, Meyrick, Blomeley, Gell, Hewitt, Chetham, and Talbot.

- 1797 Messrs. Steele, Williams, Grime, Meyrick, Blomeley, Gell, Hewitt, Chetham, Talbot, and Clayton.
- 1798 Messrs. Meyrick, Blomeley, Gell, Hewitt, Chetham, Talbot, Glover, and Page.
- 1799 Messrs. Hewitt, Chetham, Clayton, Glover, Page, Porter, Parker, Parker, and Isherwood.
- 1800 Messrs. Talbot, Clayton, Glover, Page, Porter, Parker, Parker, Isherwood, and Hall.
- 1801 Messrs. Glover, Page, Porter, Parker, Parker, Isherwood, Hall, and Parker.
- 1802 Messrs. Porter, Porter, Parker, Isherwood, Hall, and Parker.
- 1803 Messrs. Hall, Parker, Dunkerley, and Burrows.
- 1804 Messrs. Parker, Dunkerley, Burrows, Pedley, Deane, Dale, Lingard.
- 1805 Messrs. Dunkerley, Burrows, Pedley, Deane, Dale, Lingard, Gilbert, Steele, Steward, Hall, and Hall.
- 1806 Messrs. Dunkerley, Burrows, Pedley, Deane, Dale, Lingard, Gilbert, Steele, Steward, Hall, and Hall.
- 1807 Messrs. Pedley, Deane, Dale, Lingard, Gilbert, Steele, Steward, Hall, Hall, Heath, and Phillipps.
- 1808 Messrs. Gilbert, Steele, Steward, Hall, Hall, Heath, Phillipps, Barker, Holgate, and Taylor.
- 1809 Messrs. Hall, Hall, Heath, Phillipps, Barker, Holgate, Taylor, and Hughes.
- 1810 Messrs. Heath, Phillipps, Barker, Holgate, Taylor, Hughes, and Maddock.
- 1811 Messrs. Holgate, Taylor, Hughes, Maddock, Hull, Corser, Birkett, and White.
- 1812 Messrs. Hughes, Hull, Corser, Birkett, White, Wedge, Clayton, and Stonehouse.
- 1813 Messrs. Hull, Corser, Birkett, White, Wedge, Clayton, and Stonehouse.
- 1814 Messrs. Hull, Corser, Birkett, Wedge, Clayton, Stonehouse, Higgin, Case, Hodgkinson, and Dawson.
- 1815 Messrs. Wedge, Clayton, Stonehouse, Higgin, Case, Hodgkinson, Dawson, Greswell, Simmons, and Boutflower.
- 1816 Messrs. Higgin, Case, Hodgkinson, Dawson, Greswell, Simmons, Boutflower, Worthington, Armistead, Master, and Hinde.
- 1817 Messrs. Greswell, Simmons, Boutflower, Worthington, Armistead, Master, Hinde, Prescott, Gould, and Bullock.

On the 1st of October, 1817, "It was ordered that in future every Exhibitioner, when he draws for his Exhibition, shall send a certificate of his

good conduct from the Principal of his College; otherwise he shall not be entitled to his exhibition."

1818 Messrs. Greswell, Simmons, Boutflower, Worthington, Armistead, Master, Hinde, Prescott, Littler, and Gould.—Bullock suspended.

1819 Messrs. Worthington, Armistead, Master, Hinde, Prescott, Littler, Gould, Bullock, Howarth, Jackson, and Basnett.

The *Hulme* Exhibitions are payable out of the estates devised for that purpose by the Donor.

This munificent individual, William Hulme Esq. of Kearsley, near Manchester, was descended from a highly respectable family, long resident in Lancashire, and born in the year 1630. By habits of industry, and a successful application to mercantile pursuits, he realized a large property, and, by his will, dated the 24th of October, 1691, (five days previous to his decease), devised several estates, situate at Heaton Norris, Denton, Ashton-under-Lyne, Reddish, Manchester, and Harwood, all in the county of Lancaster, (subject to a life interest, in part of the premises, to Elizabeth, his wife, and to certain annuities, which have long since determined,) to the intent that the rents and profits arising from them should be annually distributed, for ever, "to four of the poorest sort of Bachelors of Arts of Brazenose College, Oxford, who should resolve to continue and reside there by the space of four years next after such degree taken."—The Exhibitioners to be nominated and appointed by the Reverend the Warden of the Collegiate Church of Manchester and the Rectors of the Parish Churches of Prestwich and Bury, for the time being, and their successors, for ever.

Mr. Hulme died on the 29th of October, 1691, and was buried in a small chapel adjoining the Collegiate Church;—upon his grave-stone is the following inscription:—

"HIC JACET CORPUS GULIELMI HULME DE HULME, ARMIGERI, QUI OBIT
VICESSIMO NONO OCTOBRIS, ANNO DOMINI 1691, ÆTATIS SUÆ 61."

The following extract from his will forms the endowment of the Exhibitions.

"I, William Hulme, of Kearsley, within the county of Lancaster, Esquire, do hereby devise, &c.——All the rest and residue of my said inheritable lands and hereditaments, from and after my decease, and the reversion of the said capital messuage and demesne lands and premises so devised unto her as afore-

said, from and after her decease, charged and chargeable as is aforesaid, I do hereby devise and give unto James Chetham of Turton, Esquire, William Hulme of Darcy-Hulme, Esquire, and the said William Baguley, my kinsman, and their heirs for ever, to the intent and purpose that the clear annual rents, issues and profits thence arising and growing over and above all charges and reprises, shall be paid and distributed to and amongst such four of the poorest sort of Bachelors of Arts taking such degrees in Brazennose College, in Oxford, as, from time to time, shall resolve to continue and reside there by the space of four years after such degree taken, equally and proportionably as the same rents, issues, and profits shall annually amount unto, and so to continue to such like four poor Bachelors, successively, for ever. Such said Bachelors, from time to time, to be nominated and approved of by the Warden of the Collegiate Church of Manchester, the Rectors of the Parish Churches of Prestwich and Bury, in the said county of Lancaster, for the time being, and their successors, for ever.— My mind and will being that no such Bachelor shall continue to have anything of this my Exhibition but only for the space of four years, to be accounted from the time of such degree taken.”

Soon after the Testator's death, doubts arose in the minds of the Nominators to the Exhibitions, whether the Candidates for these allowances should be natives of the county of Lancaster, in particular, or of any county generally throughout the kingdom. The exact words of the will are vague on this point; but, from the circumstance of Mr. Hulme's having been one of the Feoffees of Manchester School, and, probably, having received his education in it, and also that the Nominators of the Exhibitioners were Clergymen resident in the vicinity, it was believed that the county, if not the school, had an exclusive claim.

The following depositions, taken about the time here spoken of, were offered to establish this opinion, so far as the claim of the county was concerned.

“I, James Grundy, of Bolton in the Moors, in the county of Lancaster, Bachelor of Physick, do hereby certify, that being a neighbour and Physician unto William Hulme, Esquire, the Testator, for many years, and often visiting him, especially for two or three years before his death;—He, in discourse with me, gave me the following account of his designs. He said that this county, especially this part of it where he lived, sent more scholars to the University than any other like county or place, but that many that sent their

sons were not able to maintain them in the University any longer than to make them Bachelors of Arts, and then such young scholars are necessitated to turn Preachers before they are qualified for that work, which is the occasion that we are not so well provided with orthodox and able Ministers as other counties, therefore that he designed a considerable part of his estate towards the maintenance of four such Bachelors of Arts that were Lancashire scholars, especially of this part of the county where he lived, and had not wherewith to maintain themselves any longer in the University, and therefore I believe that the omission of the word "Lancashire" in his Instructions for the drawing of his will as casual and involuntary.

Signed,

JAMES GRUNDY."

"I Thomas Sergeant of Pilkington, in the county of Lancaster, Esquire, a near neighbour and intimate acquaintance of the Testator in his life time, and one of the witnesses to his will, do also hereby certify, that for several years before his death, at several times, when we have been discoursing concerning the disposing of his estate, he did declare to me his design and intention to settle his land of inheritance to the like purposes, and upon the like inducements above mentioned by Dr. Grundy; and believe that his real intention was that those who should partake of this his Charity should be natives of Lancashire, if any should be found qualified; and therefore made choice of the Warden of Manchester and the two Rectors of the next parishes to that where he lived, and their successors, to have the nomination. But the will being writ in much haste, and but a few hours before his death, from such instructions as came from his own mouth at that very time, where I was present all the while, I verily believe had there been more time for consideration, he would have explained himself more fully.

Signed,

THOMAS SERGEANT."

"I Joshua Dixon, Clerk, and Curate of Ringley Chapel, in the Parish of Prestwich and County of Lancaster, to which place William Hulme, Esquire, late of Kearsley, mostly resorted upon Sundays and Holidays for divine service, have often heard him in great compassion say, that in his time he has known many scholars in this part of the country to come out of the University too raw, by reason of their parents' inability to continue them any longer there than to be Bachelors of Arts, and that therefore he did design to settle part of his estate for the further and better education of such poor scholars, (and as I

always understood him) as were sent to the University from these parts of Lancashire; therefore, I doubt not in the least, but verily believe that the will in which he settled his estate to that purpose, not being thus expressed in the matter was occasioned by the haste it was made in, and the great indisposition and deafness that then he was under, which admitted not of questions for further instructions. And to me (besides what I have heard him say) this was an argument that the said Mr. Hulme intended the benefit of his Charity for these parts of this county, because he constituted the Warden of Manchester and the Rectors of Prestwich and Bury, for the time being, Nominators of the scholars, who, it must be presumed, best know the merits and necessities of those in their neighbourhood.

JOSHUA DIXON, Curate of Ringley.

“ I Robert Seddon, of Kearsley, in the Parish of Dean and County of Lancaster, being a near neighbour and intimately acquainted with William Hulme, and often visiting each other, have several times heard him discourse (no other person present) about disposing his estate, and he did declare that no relation of his should enjoy it; but that he having observed that more scholars were sent usually from these parts to the University than from any other parts of the kingdom of like extent; but their parents commonly were not able to maintain them there further than to take their Bachelor of Arts degree, and therefore were necessitated to leave the University, enter into orders, and preach for a livelihood before they were thoroughly qualified for that work, so that their want of a full education was a detriment to the Church; therefore said he often, that his estate should go towards maintaining such scholars whose parents living in these parts were not able to continue them longer in the University than to take the aforesaid degree: and I did always understand the said Mr. Hulme, when he said “these parts,” that he intended these parts of Lancashire, and do verily believe that the omission of these words in his will was accidental.

Signed,

ROBERT SEDDON.”

Notwithstanding the foregoing depositions, however, it is now well understood that these Exhibitions are open to candidates from any county.

At the first meeting of the gentlemen authorised and appointed by Mr. Hulme's will to nominate and elect such persons as shall be qualified and capable of receiving his Exhibitions, viz. the Warden of Manchester, and the Rectors of Bury and Prestwich, on the 5th of July, 1692,

It was ordered and agreed as followeth :

1st.—That every person to be nominated and elected shall bring, 1st, a Certificate of his age, with the place and time of his birth or baptism ; 2nd, a Testimonial from Brasenose College of his qualifications and residence in the College, and of the time of his taking his respective degree of Bachelor of Arts.

2nd.—That the nominations or elections to be made from time to time be in the following form, or some such like, viz.

We whose names are here underwritten, being the persons instituted and appointed by the last will and testament of William Hulme, Esquire, of Kearsley, in the County of Lancaster, to nominate and approve of such persons as shall, from time to time, be qualified and capable of receiving and enjoying the legacies or benefactions bequeathed and given by the said will to four of such of the poorest sort of Bachelors of Arts of Brasenose College, in Oxford, as shall be resident there, do nominate and approve of, and hereby elect and appoint N. son of N. N. of N. in the County of Lancaster, and Bachelor of Arts of Brasenose College in Oxford, to be one that shall receive and enjoy his proportionable share of the said benefaction, for the time limited and appointed by the said will, to commence and be reckoned from last past.

Witness our hands, this present day of 169 .

3rd.—The persons hereafter named having produced their Certificates and Testimonials of their qualifications, residence in college, and of the time of their taking the degree of Bachelor of Arts, were nominated and elected under our hands, to receive the said benefaction from and after Midsummer-day last past, viz.

John Hyde, son of John Hyde, Vicar of Bowden.

Samuel Davy, son of John Davy, Vicar of Frodsham.

Samuel Ogden, son of Abraham Ogden, of Grinacres, in Oldham.

The fourth place to be reserved for Richard Baguley, nephew of the Founder.

4th.—That the sons of clergymen shall be preferred before others, *ceteris paribus*.

NAMES OF THE EXHIBITIONERS, AND DATE OF APPOINTMENT.

John Hyde,	25 June, 1692	Robert Ashe,	27 Nov. 1696
Samuel Davy,	25 June, 1692	Geoffrey Rishton,	24 June, 1697
Samuel Ogden,	25 June, 1692	Lewis Chadwick,	23 Sep. 1697
Richard Baguley,	24 July, 1693	Nicholas Pennington,	13 July, 1699
Barnes Dennis,	30 May, 1695	John Whiteside,	24 June, 1700
John Harper,	29 June, 1695	Henry Newcome,	24 June, 1700
James Smethurst,	30 May, 1695	Joshua Lomax,	25 Mar. 1701
Samuel Lever,	27 Nov. 1696	Thomas Dale,	30 June, 1703

Adam Gartside,	30 Sep.	1703	Ralph Cowley,	8 Feb.	1743
James Finch,	25 Dec.	1703	Richard Garnett,	16 Oct.	1743
Joseph Watson,	24 June,	1704	Thomas Clarke,	1 Feb.	1744
Thomas Bradshaigh,	6 June,	1706	Richard Blacow,	10 Nov.	1744
John Ryland,	15 Oct.	1706	John Winder,	26 Feb.	1745
John Veale,	20 July,	1707	John Finch,	15 Oct.	1746
Samuel Goulbourne,	18 Oct.	1707	Christopher Fox,	28 Feb.	1748
John Worden,	24 Jan.	1708	John Harrison,	11 Oct.	1748
Thomas Eden,	29 May,	1710	Anthony Heathcote,	22 Feb.	1749
Edward Arrowsmith,	28 Oct.	1710	William Clere,	11 Dec.	1749
Ralph Clegg,	27 Oct.	1710	Samuel Cauley,	18 Feb.	1750
Samuel Bolton,	23 Oct.	1711	Richard Prescott,	10 Oct.	1750
John Tablocke,	31 Oct.	1713	William Bissel,	9 July,	1752
John Norcross,	7 Oct.	1713	John Garton,	20 Feb.	1753
Thomas Wright,	12 Mar.	1714	John Houghton,	13 Dec.	1753
Richard Ashton,		1715	Thomas Willmill,	24 June,	1754
Nathan Stock,		1715	William Gwyn,	13 Oct.	1754
Edward Alanson,		1716	Thomas Nowel,	17 Jan.	1756
Francis Pigot,	16 Oct.	1716	Giles Fairclough Haddon,	27 May,	1756
John Haddon,	16 Oct.	1719	James Hogarth,	25 Oct.	1756
John Baldwin,	28 Oct.	1719	Miles Lonsdale,	24 July,	1758
Thomas Ball,	1 Mar.	1720	William Clere,	24 July,	1758
Paul Southworth,		1720	James Crallan,	22 Nov.	1759
Thomas Hurst,		1721	James Wilde,	16 Feb.	1760
Thomas Wroe,	22 July,	1723	William Whalley,	4 Mar.	1760
Seth Banks,	5 Aug.	1723	John Cooper,		1760
James Richardson,		1723	Houston Ratcliffe,		1761
William Shrigley,	17 Aug.	1725	James Bayley,	17 Oct.	1762
Robert Holden,	24 Jan.	1725	William Hunter,	17 Dec.	1764
Thomas Orrell,	30 June,	1726	John Taylor,	19 April,	1764
John Brookbank,	13 June,	1727	John Hargreaves,	May,	1764
Silvester Richmond,	13 Oct.	1728	James Heap,		1765
Johannes Arrowsmith,	4 Feb.	1728	James Barton,	20 Nov.	1766
John Clayton,	23 June,	1729	John Holmes,	2 July,	1767
Henry Orrell,	19 Feb.	1730	Thomas Braithwaite,	27 Dec.	1768
James Smith,	4 Feb.	1731	William Sugden,		1769
Samuel Williamson,	3 June,	1732	Thomas Evanson,	23 June,	1770
John Holme,	25 Nov.	1732	James Armitriding,	11 Oct.	1770
Henry Duckworth,	19 Feb.	1733			
William Nowel,	14 Oct.	1734			
Ralph Barlow,	16 Oct.	1735			
Thomas Lever,	11 Oct.	1736			
Fitzwilliams Southcote,	27 Jan.	1737			
Thomas Winstanley,	12 Oct.	1737			
James Crowther,	18 Oct.	1739			
Samuel Lawson,	26 Feb.	1740			
James Morris,	17 Oct.	1740			
John Welsh,	16 Feb.	1741			
John Hadock,	10 July,	1742			

In the year 1770, 10th George III., an act was obtained for enabling the Trustees to grant building leases of the estates for ninety-nine years, and to increase the number of Exhibitioners to ten, whose stipends should never be less than £60., nor more than £80., per annum. Up to this time from the Testator's death, the Exhibitions had gradually risen from £10. to £60. each; but the number of the Exhibitioners had never exceeded four.

Thomas Winstanley,	10 Dec.	1771	Charles Mainwaring,	27 Jan.	1790
John Robinson,		1772	Roger Young,	15 June,	1790
Samuel Renshaw,		1773	John Bissel	23 Dec.	1790
James Strong,		1773	Frodsham Hodson,	May,	1791
Robert Latham,	5 Oct.	1773	William Black,	27 Nov.	1791
Henry Barton,	5 Oct.	1773	Thomas Ridge,	14 Jan.	1792
James Stuart,	24 Dec.	1775	John Starkey,	31 Mar.	1792
John Gile,	14 Jan.	1776	W. Dixon,	4 April,	1792
Thomas Heyes,	10 Oct.	1776	William Leversedge,	10 Oct.	1792
Henry Unsworth,		1776	John Bate,	10 Oct.	1792
Henry Dannett,		1777	Charles Mytton,	23 Feb.	1793
Thomas Shaw,		1778	William Marsden,	10 Oct.	1793
Thomas Wright,		1779	Hugh Cholmondley,	5 Feb.	1794
Abram Ashworth,		1779	Henry Brown,	6 Feb.	1794
Thomas Mawdesley,		1779	John Huish,	30 Mar.	1794
John Farrington,		1779	James Stanton,	30 June,	1794
James Sugden,	June,	1780	John Dean,	13 Oct.	1794
Christopher Whitehead,	June,	1780	Thomas Ashley,	23 Feb.	1795
Thomas Blundell,	Oct.	1780	Robert Crockett,	13 Feb.	1795
James Lyon,		1781	Thomas Edwards,	18 Mar.	1795
Richard Earle,		1781	William Pulford,	15 April,	1795
Robert Farrington,	10 June,	1781			
Thomas Bancroft,	11 Dec.	1781			
James Hargreaves,	4 Dec.	1782			
Thomas Kidd,	4 Sep.	1783			
Peter Wright,	4 Sep.	1783			
Thomas Maddocks,	29 Nov.	1783			
John Langton Leech,	17 Jan.	1784			
George Whitaker,	17 Jan.	1784			
John Fenwicke,	17 Jan.	1784			
Peter Latham,	14 Jan.	1784			
Thomas Lomax,	14 Jan.	1784			
Calvin Winstanley,	9 June,	1784			
John Wright,	14 Jan.	1785			
John Radcliffe,	12 Sep.	1785			
Thomas Bold,	8 Dec.	1785			
James Cawley,	29 Jan.	1786			
Robert Holt,	29 Jan.	1786			
Thomas Dakin,	25 Jan.	1787			
John Upton,	15 Feb.	1787			
Henry Helliwell,	10 Oct.	1787			
Hamlet Harrison,	17 Nov.	1787			
Samuel Waring,	14 Jan.	1788			
Dorning Rasbotham,	29 Jan.	1788			
John Haddon Hindley,	31 Mar.	1788			
Samuel Henshall,	12 Mar.	1789			
Charles Middleton,	9 Mar.	1789			
Daniel Matthias,	10 Oct.	1789			
William Henry Heron,	16 Jan.	1790			
			Robert Porter,	16 Jan.	1796
			Joseph Hodgkinson,	6 April,	1796
			James Boardman,	23 June,	1796
			James Cleaver,	14 Jan.	1797
			William Steel,	14 Jan.	1797
			Theophilus Prosser,	26 Feb.	1797
			Thomas Stone,	10 Oct.	1797
			Richard Farrer,	10 Oct.	1797
			George Elton,	20 Jan.	1798
			Barnard Port,	10 Oct.	1798
			Thomas Grimshaw,	18 Oct.	1798
			Edward Grime,	14 Jan.	1799
			William Blomeley,	14 Jan.	1799
			William Godwin,	10 Oct.	1799
			Daniel Wray,	10 Nov.	1799
			Richard Hewitt,	10 Jan.	1800
			Robert Cheetham	19 Jan.	1800
			Joshua King,	10 Oct.	1800

By another act, passed in 1795, 35th Geo. 3d, the Trustees were enabled to convey in fee, or grant leases for lives, or for long terms of years, with or without covenants for renewal, or for perpetual renewal, under reserved yearly rents; and also to increase the number of Exhibitioners to fifteen, whose stipends should never be less than £60., nor more than £110. per annum.

Robert Rawstorne,	14 Jan.	1801	William Corrie,	27 Nov.	1810
Thomas Clayton,	12 Feb.	1801	Robert Hath,	15 Jan.	1811
John Markland,	17 April,	1801	Thomas H. Holgate,	9 April,	1811
Henry Williams,	15 May,	1801	Ellis Ashton,	11 Oct.	1811
Samuel Briscall,	10 Oct.	1801	Samuel Hale,	15 Nov.	1811
Rowland Egerton,	10 Oct.	1801	Daniel Phillips,	—	1811
Edmund Joddrell,	10 Oct.	1801	Henry Morrall,	14 Jan.	1812
Devreux Mytton,	10 Oct.	1801	George Hornby,	20 Jan.	1812
John Page,	10 Oct.	1802	James Taylor,	18 Nov.	1812
Charles Crewe,	21 Oct.	1802	William Hesketh,	13 Jan.	1813
Charles Porter,	14 Jan.	1803	George Goring,	—	1813
Thomas Golightly,	21 May,	1803	John Halstead Poole,	12 April,	1813
William Harrison,	19 June,	1803	John Watson,	15 May,	1813
Richard Scott,	2 Sep.	1803	John Charles Prince,	13 Dec.	1813
Robert Newton,	10 Oct.	1803	James Smith,	13 Oct.	1813
Thomas Winfield,	14 Jan.	1804	Richard Janion,	15 Nov.	1813
Thomas Hawkshead,	14 Jan.	1804	Robert Fowler,	—	1813
John Heming Parker,	10 Oct.	1804	Matthew Davies,	—	1814
John Taylor Allen,	14 Jan.	1805	John Jackson Lowe,	2 Feb.	1814
Thomas Dunbar,	14 Jan.	1805	Harry Smith,	—	1814
John Hanmer,	11 June,	1805	Henry Hart Milman,	25 Mar.	1814
Thomas C. Heber,	11 June,	1805	Gardner Baldwin,	30 May,	1814
John Loveday,	24 Oct.	1805	William Bradley,	17 April,	1815
Charles William Golding,	—	1805	William Birkett,	7 July,	1815
Harry Grey,	15 Jan.	1806	Josias Robinson,	27 July,	1815
John Pollard,	15 Feb.	1806	Edward Moore,	28 Oct.	1815
J. E. Tarleton,	10 Oct.	1806	Miles Formby,	6 Dec.	1815
Richard Stephens,	—	1806	William Thomas Eyre,	26 Jan.	1816
Joseph Burrows,	16 Jan.	1807	Thomas George Roberts,	10 Feb.	1816
Richard Hodges,	17 Mar.	1807	John L. Young,	15 April,	1816
William Barnett,	10 Oct.	1807	Joseph Hodgkinson,	1 May,	1816
Charles Thomas Johnson,	19 Nov.	1807	Joseph Hordern,	—	1816
James Thomas Pedley,	14 Jan.	1808	Henry J. Barton,	14 Jan.	1817
W. H. Champion,	9 Feb.	1808	Frederick Ambrose Dawson,	—	1817
Joseph Dale,	23 Jan.	1808	William Greswell,	17 April,	1817
James Dean,	14 Jan.	1808	James Case,	10 Oct.	1817
William Roundell,	1 April,	1808	Francis Clerke,	11 Oct.	1817
C. K. Prescott,	6 April,	1808	Henry Clerke,	11 Oct.	1817
John Lingard,	24 May,	1808	Thomas Johnson,	24 Oct.	1817
Ambrose Dawson,	16 Jan.	1809	Gilbert Henderson,	22 Nov.	1817
William Stewart,	—	1809	John Owen Parr,	15 Jan.	1818
A. T. Gilbert,	8 Mar.	1809	Charles Barton,	5 April,	1818
J. B. Bingham,	24 April,	1809	Oswald Fielden,	5 April,	1818
T. C. Hinks,	15 June,	1809	Edward Henry Penny,	8 April,	1818
William Hassal	16 Oct.	1809	William John Gilbert,	30 Nov.	1818
Thomas Mawdesley,	—	1809	John Morrall,	2 Dec.	1818
E. Cardwell,	21 Nov.	1809	John Pierce Maurice,	12 Dec.	1818
Charles Henry Johnson,	6 July,	1810	Peter Hordern,	18 May,	1820
Kelsall Prescott,	15 Nov.	1810	Francis Maude,	19 May,	1820

William Armitstead,	22 May, 1820	Scrope Milner Colquitt,	27 April, 1823
William Walley,	24 May, 1820	John Huyshe,	8 May, 1823
Marmaduke Vavasour,	27 May, 1820	John H. Underwood,	4 Feb. 1824
Robert Titler,	27 Oct. 1820	Ed. Trafford Leigh,	4 May, 1824
Francis S. Newbold,	30 Oct. 1820	Richard Latham,	5 May, 1824
George E. Lardner,	15 Nov. 1820	Richard Gwyllym,	14 Oct. 1824
Thomas Townson Churton,	14 Jan. 1821	James North,	23 Oct. 1824
John Marsden Wright,	22 Jan. 1821	John Parry,	13 April, 1825
William Henry Prescott,	20 Feb. 1821	John Hill,	15 April, 1825
Edward Francis Arnley,	14 April, 1821	Francis Gresswell,	25 May, 1825
Thomas Loyd Pain,	17 April, 1821	Henry Oldershaw,	10 Oct. 1825
John Lloyd Philips,	12 May, 1821	Edward Higgins,	17 Nov. 1825
Richard Townley,	29 Oct. 1821	Cyrus Morrall,	14 Jan. 1826
William Moffatt,	29 Oct. 1821	Richard W. Ashworth,	9 Feb. 1826
Samuel Maddock,	14 Jan. 1822	George Heron,	10 Feb. 1826
William Stone,	22 Jan. 1822	Cecil Wray,	5 April, 1826
William Robert Wyatt,	23 Jan. 1822	William Platt,	1 May, 1826
William Thackeray,	20 April, 1822	John Robinson,	8 June, 1826
James Garbett,	10 Oct. 1822	Richard Brindley Hone,	10 Oct. 1826
John Cheales,	6 Nov. 1822	John Shepherd Birley,	15 Jan. 1827
Arthur Rowlandson,	31 Jan. 1823	Frederick Maude,	25 April, 1827
Thomas William Carr,	25 April, 1823	Joseph Birchall,	17 Nov. 1827
Anthony Crowdy,	25 April, 1823		

NUMBER OF EXHIBITIONERS AT DIFFERENT PERIODS, AND AMOUNT PAID TO THEM.

1693	3 Exhibitions.	at £10 each.
1694	4 —————	at £18 each.
1697	4 —————	at £15 till further orders.
1701	4 —————	at £24 each.
1705	4 —————	at £30 each.
1710	4 —————	at £40 each.
1722	4 —————	at £46 each.
1723	4 —————	at £50 each.
1730	4 —————	at £52 each.
1750	4 —————	at £52 each.
1760	4 —————	at £52 each.
1764	4 —————	at £60 each.
1770	4 —————	at £70 each.
1774	6 —————	at £70 each.
1780	8 —————	at £70 each.
1781	9 —————	at £70 each.
1788	9 —————	at £70 each.
1795	9 —————	at £80 each.
1799	12 —————	at £90 each.
1805	15 —————	at £90 each.
1808	15 —————	at £90 each.

1814	15 Exhibitions	at £90 each.
1817	15 —————	at £100 each.
1822	15 —————	at £100 each.
And £35. for Books—Total £155. each, since which no advance has been made.		

In the year 1788 the Trustees allowed to each Exhibitioner the sum of £10. for buying books;—and in 1808 £10. were allowed as a prize for the best Oration in memory of the Founder.—In 1814, in addition to these advantages, the increase of the funds afforded £20. for books, and £10. for the payment of lodging-money, in accordance with the act obtained that year, and in 1817 £20. was granted for lodgings, with the same sum for books.

In 1814, by reason of the great increase in the value of the trust estates, the annual proceeds then amounting to the sum of £2,502. 16s. 8d., over and above the interest of the sum of £23,700., which the Trustees had saved out of the rents, a third act was obtained, intituled, “An act for amending two several acts of the 10th and 35th years of the reign of his late Majesty, relating to the estates devised by William Hulme, Esq.; and to enable the Trustees thereof to apply the trust monies in making an allowance to, and provision for, the Exhibitioners of certain Exhibitions, founded by the said Testator in Brase-Nose College, Oxford; and also in founding and supporting a Lecture in Divinity in the said College; and to incorporate the said Trustees; and for other purposes therein mentioned.”

By which it was enacted, “That it shall be lawful for the said Trustees, and their successors, to make unto each of the said present Exhibitioners, and to each of the Exhibitioners who shall be hereafter nominated to take the benefit of Mr. Hulme’s estate, such allowance, stipend, or yearly sum, as the Trustees shall think meet and reasonable; never to exceed the sum of two hundred and twenty pounds in any one year; and that the same shall not be paid to any of such Exhibitioners who shall not regularly reside in the said College from the beginning of Michaelmas Term to the end of Act Term, in every year, unless such Exhibitioner shall have obtained such permission, as is hereinafter mentioned, from the Trustees of the said estates, dispensing with his or their residence at the said College, and no such permission shall extend beyond the power given for that purpose to the Trustees by this act.”

“As the College of Brase-Nose was not able to accommodate the Exhibitioners with rooms within the College, and the rent of lodgings in Oxford, and the necessary expenses attendant thereon, having materially increased within a few years past, and the then allowance being inadequate for procuring the benefits intended for the Exhibitioners,—The Trustees were empowered to

provide rooms and lodgings in Oxford, or to purchase or build convenient houses for their residence and accommodation,—

Provided, “That no Exhibitioner shall be allowed to reside in or occupy any such houses, for any longer time than they shall enjoy and receive their Exhibitions, or during only such term or part thereof, as the said Trustees shall, from time to time, appoint or determine upon, pursuant to the provision in that behalf hereinafter contained: Provided also, That no greater sum shall be expended or laid out by the Trustees in the actual purchase of any such houses, buildings, lands, or hereditaments, than the sum of £5000. in the whole.”

The Trustees were also empowered to pay a Lecturer, to be nominated by the Principal of Brase-Nose College, for the delivering Lectures in Divinity to the Exhibitioners therein, an annual salary not exceeding the sum of £150.—such Divinity Lecture to be called “Hulme’s Divinity Lecture,”—and “that no person shall be appointed to such office of Lecturer, save and except he shall be in Priest’s orders, and shall have taken the degree of Bachelor of Divinity or Master of Arts in the said University, and be a Member of the said College.”

The Trustees and their successors were constituted a Body Corporate, by the name and style of “The Trustees of the Estates devised by William Hulme, Esq.” with perpetual succession; may plead and be impleaded, and have a common seal, on which shall be engraven the Coat of Arms borne by William Hulme, and round it shall be inscribed “Sigillum Hulmianum.” And the number of the Trustees was to be increased to Twelve.

The Nominators of the Exhibitioners, as often as vacancies shall arise, are empowered “to nominate to the said Exhibitions Under-Graduates in the said College of Brase-Nose, who shall have then entered upon the thirteenth term from their matriculation, and who shall resolve and continue to reside there by the space of *four years* next after the commencement of such thirteenth term, and who shall also resolve to take their degree of Bachelor of Arts in the University of Oxford, as soon as they are of academical standing for such degree;—And that the Under-Graduates so to be nominated, and residing according to the regulations of this act, shall, from time to time, have, and be entitled to the allowances, stipends, and yearly payments in and by this act authorized to be made to the said Exhibitioners, for the space of four years, to be accounted from the commencement of the said thirteenth term:—Provided that they, the said Under-Graduates so to be nominated, shall, if prevented from taking their degree of Bachelor of Arts as soon as they are of standing for the same, be actually admitted to such degree within *eight months* afterwards;—but, in case the Under-Graduates so to be nominated, or any of them, shall not within the

same space of eight months duly take their said degrees, then and from thenceforth their respective Nominations shall cease and be void, and they shall respectively absolutely forfeit and lose all farther right, title, and claim to the said allowances, stipends, and payments to be made to the said Exhibitioners, and all benefit and advantage therefrom ;—

And it was further enacted, “That it shall be lawful for the Trustees, from time to time, by any orders, at any General Meeting of the Trustees, *to dispense with the residence* at or in the said College of Brase-Nose, of the Exhibitioners who are or shall be hereafter nominated to take the benefit of Mr. Hulme’s trust, for any time, (which shall not be in full term) in each year, as they the said Trustees shall deem most advisable :—Provided, That no such orders shall be contrary to, or interfere with the rules or discipline of the said College, nor shall such rules or discipline be any ways affected by acts of the said Trustees, or their successors, in the exercise of the powers given to them by this act.”

The *Somerset* Scholarships were founded by Sarah, Duchess of Somerset, according to the following documents.

“This Indenture, made the 17th of February, 1679, between the Right Noble the Lady Sarah, Duchess Dowager of Somerset,^s widow, of the one part ;—The Right Worshipful Thomas Yate, D.D. Principal of the King’s Hall and College of Brazen-Nose, in the University of Oxford, and the Scholars of the same College, of the other part ;—Witneseth, that the said Duchess, for the founding, establishing, and sustentation of Four Scholarships in the said College, to the honour of God and the advancement of good learning, and to be called for ever “*Somerset Scholarships*,” hath granted, aliened, released, and confirmed, and by these presents doth grant, &c. unto the said Principal and Scholars, and their successors for ever, all that tenement or messuage, with several pieces of arable and pasture land, and all those five closes, &c. in the

^s Daughter of Sir Edward Alston, Knight, President of the College of Physicians, and relict of George Grimston, Esq. son of Sir Harbottle Grimston, Knt. Master of the Rolls ;—she died 25th of October, 1692, and was buried in Westminster Abbey. Besides her liberal bequests to the Universities of Oxford and Cambridge and the Free Schools, she gave a noble instance of her regard for the family of Somerset, having, by her will, dated the 17th of May, 1686, settled, in the strictest terms of law, the Manors of Powsey and Titcombe, cum Oxenwood, and Harding farm, with their appurtenances, in Wiltshire, on the successive Dukes of Somerset, descendants of Edward Seymour, the first Duke.—She likewise founded the noble alms-house at Froxfield, in the said county, for thirty widows, not having £20. a-year, one-half to be widows of Clergymen, and the other half Laymen.

parish of *Iver*, in the county of Buckingham, which said premises are now in the possession of the said Principal and Scholars, by virtue of a bargain and sale to them thereof made by the said Duchess, by indenture, bearing date the day before the date of these presents, for one whole year, from the day before the date of that indenture, and by force and virtue of the statute for transferring uses into possession—to have and to hold the said premises, with their rights, &c., unto the said Principal and Scholars, and their successors, to the end, intent, and purpose that the said Principal and Scholars, and their successors, shall, from time to time, and at all times hereafter, use all good care and diligence to preserve, defend, and improve the said premises, to be employed and converted to the sole and proper uses hereinafter directed and declared,—that is, for the support and maintenance of *Four* Scholars, to be bred and trained up in good learning and piety, in the said College of Brazen-Nose, for ever ;—

Secondly,—"The said *Four* Scholars shall be nominated and presented by the said Duchess, during her life, to the said Principal and Scholars of Brasen-Nose College, who shall be obliged to elect them, within three days after such presentation, into the Scholarship or Scholarships then vacant, if, on examination they shall be found fit and worthy, or else signify their refusal to the said Duchess, who shall nominate one or more ;—

Thirdly,—"After the decease of the said Duchess, all Scholars to be elected shall be taken and chosen by the said Principal and six Senior Fellows of Brasen-Nose out of the *Free School of Manchester*, in the county palatine of Lancaster, within forty days after the said Scholarships, or any of them respectively, shall, become void :—In which choice they shall always prefer such youths, in the said school, as shall be born in the counties of *Lancaster, Chester, and Hereford, or in any one of them* :—And in case that, at the time when any of the said Scholarships shall become void, there shall not be in the said school any poor youth whatsoever that shall be judged fit for his learning to be elected, that then they shall and may elect and chuse into the said Scholarships so void, any other youth or youths, born in any of the said three counties of *Lancaster, Chester, and Hereford*, and not elsewhere ;—although such youth or youths shall have been educated in any other school :—

Fourthly,—"That the said Principal and Scholars shall be obliged to allow unto every one of the Scholars so named and elected, the sum of 5s. per week, for their subsistence, for seven full and complete years, from the day of his or their election, unless they die, or be absent contrary to the statutes of the said College, or shall be promoted to any Fellowship or Preferment in the same or any other College, or shall be expelled for his or their misdemeanour.—But, if,

by reason of any public calamity, the lands should *fall* in their rents, the Scholars shall be contented with their allowance proportionable to the profits that arise:—

Fifthly,—"The Principal and Scholars shall provide the said *Four* Scholars one chamber, with four studies, where the Somerset Scholars may cohabit together, or else distinct lodgings,—and they shall wear gowns of cloth, with open sleeves, like the students of Christ Church,—and square caps, but without tassels, whilst they are Under-Graduates. And in satisfaction to the said Principal and Scholars, for the chamber, and for the buying the first gowns and caps for the said scholars, the said Duchess hath paid to the said Principal and Scholars the sum of £50.

Sixthly,—"The said Scholars that shall afterwards be admitted shall, each, at his first admission, be allowed a new gown and cap,—and the same at the beginning of the third and fifth years,—the charge whereof is not to be deducted out of their allowance of 5s. per week a-piece, in regard there is upon the computation of the yearly value of the premises, an allowance of £5. *per annum* made by the said Duchess, for buying the said caps and gowns, over and above the said 5s. a-piece.

Seventhly,—"The said Somerset Scholars shall pay no caution at their first admission; but if they, or any of them, shall, at any time, exceed their allowance in *Commons* or *Battling*, and do not pay for such exceedings within fourteen days after the respective quarter-day, then their names shall be *crossed*, and their allowances *stopped* until arrears be paid.

Eighthly,—"The *Four* Scholars shall, at their admission, be required to speak the *Latin* tongue in their public and private conferences with one another, under the penalty of *Two-pence* for every default.

Ninthly,—"The premises to return to the heirs of the said Duchess, in case they should be mis-employed to any other uses, &c.—and to be again employed to the uses above limited, either in the said College or any other College in the said University.

Tenthly,—"The Bishop of Lincoln is appointed Visitor, and is to visit once in three years.

Eleventhly,—"Once in every year a Commemoration of the said Duchess to be had,—and 40s. distributed to the Principal and Fellows, and Scholars then present at prayers, giving to the Principal a double share,—and a Speech made in Latin in the Hall, to be performed by turns successively by the said Somerset Scholars."

This Deed was enrolled in Chancery, in Hilary Term, 1679.

Extract from the Duchess's Will, dated the 17th of May, 1686, in the Registry of the Prerogative Court of Canterbury, relating to the remaining Scholarships in Brasen-Nose College, Oxford, and St. John's College, Cambridge.

“ Also I do will, direct, and appoint, that the before-named Sir Samuel Grimston, and his heirs, shall settle, convey, and assure, by such lawful ways, means, and assurances as the said Henry Lord Delamere, and Sir William Gregory, and the survivor of them and his heirs, shall think necessary and convenient, for the doing thereof firmly and legally unto and upon the Principal, Fellows, and Scholars of Brasen-Nose College, in the University of Oxford, and their successors, for ever,—All that my Manor of *Thornhill*, with its rights, members, and appurtenances, in the said county of Wiltshire, and all messuages, farms, lands, tenements, meadows, pastures, woods, rents, commons, advantages, and hereditaments whatsoever, unto the said Manor belonging or anyway appertaining, or reputed or taken to be part, parcel, or member thereof, to be for ever used and employed for the founding and maintaining of a further number of Scholars in the said College for ever, over and above those that I have already founded there, in such sort, manner, and form as is hereinafter directed :—

“ And also, I do likewise direct, and appoint, that the said Sir Samuel Grimston, and his heirs, shall convey, settle, and assure, in such manner and form, and by such lawful ways, means, and assurances as the said Henry Lord Delamere and Sir William Gregory, and the survivor of them and his heirs, shall think necessary and convenient, for the firm and legal doing and establishing thereof unto and upon the Master, Fellows, and Scholars of St. John's College, in the University of Cambridge, and their successors, for ever, all that the Manor of *Wootton Rivers*, with the rights, members, and appurtenances thereof, in the county of Wilts, and all and singular messuages, farms, lands, tenements, meadows, pastures, woods, commons, rents, and hereditaments whatsoever unto the said Manor belonging, or in anyway appertaining, or accepted, reputed, or taken part, parcel, or member thereof, To be for ever used and employed, for the founding and maintaining a further number of Scholars in the said College, over and above those five Scholarships which I have already founded in the said College, in such sort, manner, and form as is hereinafter directed :—

“ And for the better increasing both of the number and maintenance of the said additional Scholars, in either of the before-mentioned Colleges, I do direct and appoint, and I do desire that it may be so provided for in the settlement

thereof, That the said Manors and Hereditaments, to the said Colleges respectively appointed, may be ordered and managed in such sort and manner as is hereinafter directed:—that is to say, I do will, direct, and appoint, that no lease or leases shall be granted or renewed of any the leasehold messuages, farms, lands, tenements, or hereditaments, within the said Manors hereby by me given or appointed to the said Colleges, or either of them respectively, for any longer or greater term than one and twenty years in possession only:—And that upon every such new lease there shall be reserved the best improved rent that can be gotten for the same farm so to be leased;—And that there shall not be directly nor indirectly taken for the making of any new grant of any copyhold estate or estates, any fine or fines for more than after the rate or proportion of one-third part of the improved value or rent of the said tenements or farm so letten:—And that full two-third parts of the improved yearly value of the said tenement or farm shall be reserved in rent, and made payable half-yearly, for the same to be, from time to time, employed and applied as is hereinafter mentioned;—And that in every such new lease or grant to be made of the said premises, or any part thereof, the tenant or lessee thereof shall be bound to pay all manner of taxes, and to keep the messuages and buildings upon the same in good and sufficient repair:—

“And I do further will and appoint, that the said additional Scholars, in each of the said Colleges respectively, shall be called by the name of “Somerset Scholars,” and that their allowance, for their maintenance and other things, shall be equal and proportionable, saving only to those six Scholars in each of the said Colleges, concerning whom I have hereinafter given particular directions, with those I have already founded there; and that the election, management, ordering, and government of all the said additional Scholars shall be in the same manner, and according to the same rules, as are given and settled by me for and concerning the “Somerset Scholars,” by me founded already in the said respective Colleges, with this alteration only, as to the election of the Scholars into the said additional Scholarships:—for my will is, and I do appoint, that the said additional Scholars that shall be chosen in Brasen-Nose College, in Oxford, shall, from time to time, for ever be elected out of *Manchester School*, in the county of *Lancaster*, and the Free School of *Hereford*, and the Free School of *Marlborough*, in the county of *Wilts*, by turns; the *first* of them to be chosen out of *Manchester School*, the *second* out of *Hereford Free School*, and the *third* out of *Marlborough Free School*; and that the said additional Scholars, that shall be chosen into *St. John’s College*, in *Cambridge*, shall, from time to time, for ever be elected out of *Marlborough Free School*,

Hereford Free School, and Manchester Free School, by turns, the *first* of them to be chosen out of Marlborough Free School, the *second* out of Hereford Free School, and the *third* out of Manchester Free School, and to keep the same course and turns for ever :—

“ And I do further will and appoint, that if any of my said Scholars shall be absent from his said respective College above three calendar months in any one year, upon any pretence whatsoever, that then his place in the said College shall be, *ipso facto*, void :—

“ Provided always, and my will and mind is, that upon any vacancy of any of my said Scholarships, by reason of undue absence, or upon any other account or cause whatsoever, in either of the said Colleges respectively, If the Principal, Fellows, and Scholars of Brasen-Nose College, in Oxford, or the Master, Fellows, and Scholars of St. John’s College, in Cambridge, or either of the said Colleges respectively, shall neglect, by the space of *thirty days*, to give notice of such avoydance unto the Master of the School out of which the next of the said Scholars is to be chosen into the said College, That then the College so neglecting shall lose the privilege of electing any of the said additional Scholars for *seven years*, next after such neglect ;—And that during that seven years they, the said Henry Lord Delamere, Sir Samuel Grimston and Sir William Gregory, and the survivors and survivor of them, and his heirs, shall, and lawfully may, from time to time, nominate and present a Scholar or Scholars out of the aforesaid schools respectively, (and qualified, as in the foundation of my said Scholarships is directed,) unto the said College or Colleges respectively, where such place shall be void, to be settled and placed in all or any such of the said Scholarships as shall happen to be void within the said seven years ;—

“ And I do further will and appoint, that, at the first settlement thereof, there shall be one additional Somerset Scholar placed and settled in each of the said Colleges, with provision to be made, That when the rents of the Manor and Hereditaments given to Brasen-Nose College, in Oxford, shall be improved that they shall come to thirty pounds *per annum*, then there shall be one other Somerset Scholar placed in the said College, and so, from time to time, upon every increase and advancement of fifteen pounds *per annum* in the rents of the said Manor and Premises to them appointed, there shall be one Scholar *more* added to the Somerset Scholars in the said College ;—and that, in like manner, when the rents of the Manor and Hereditaments hereby given or appointed to St. John’s College, in Cambridge, shall come to be thirty pounds *per annum*, there shall be one other additional Somerset Scholar settled in the said College ; and so, in like manner, from time to time, upon every increase or advance-

ment of fifteen pounds *per annum* in the rents of the said Manor and Premises to them given or appointed, there shall be one Scholar *more* added to the Somerset Scholars in the said College:—

“And, as touching the fines that shall, according to the rents aforesaid, be taken or received upon the granting or renewing of copyhold estates, in the said respective Manors, I do will and appoint, that *three parts out of four* thereof shall go and be to the use and benefit of the respective Colleges, to whom such Manor is hereinbefore appointed, in recompense for their providing *Chambers* for the said additional Scholars and *Studydes, Gowns, and Caps*; and the other *fourth* part of the said fines to go and be to the use and benefit of all the Somerset Scholars in that College, to buy them *books*, which advantage by the said fines, although it can be but small at first, in regard that all the farms within the aforesaid Manors are at present in lease, or grants under small old rents, yet, as the present leases and estates shall determine, they will, I hope, prove considerable, for by the account I receive from my officers I find, that the Manor appointed to Brasen-Nose College will, when the present lease and estates are expired, be worth about five hundred and sixty pounds *per annum*; And that the Manor appointed to St. John’s College will be then worth about five hundred and thirty pounds *per annum*:—

“And I do further declare my will and mind to be, and I do appoint, that when the term now in being of the leasehold-farm and lands lying in the Manor of *Thornhill*, which leasehold-farm and lands, at the full and improved value, is worth one hundred and sixty pounds *per annum*, shall expire or determine, then Six Somerset Scholars shall, in manner aforesaid, be chosen and settled in Brasen-Nose College, and that the said Six Scholars shall have for their allowances, for their maintenance, the whole rent of the said leasehold-farm and lands in *Thornhill*, and that none others of the additional Somerset Scholars, in that College, shall have any share or part thereof with them; and that the said Six Scholars, or any of them, shall not have any share or part with the other additional Somerset Scholars of that House of any other rents, revenues, or profits of the said Manor of *Thornhill*;—

“And my will and mind further is, and I do appoint, that when the term now in being of the leasehold-farm and lands lying in the Manor of *Wootton Rivers*, which leasehold-farm and lands, at the full improved value, is likewise worth one hundred and sixty pounds *per annum*, shall expire or determine, Then Six Somerset Scholars shall, in manner and form aforesaid, be chosen and settled into St. John’s College, in Cambridge, and that the said Six Scholars shall have for their allowances, for their maintenance, the whole rent of the said leasehold-

farm and lands in *Wootton Rivers*, and that none others of the Somerset Scholars, in that College, shall have any share or part thereof with them; and that the said Six Scholars, or any of them, shall not have any share or part with the other Somerset Scholars of that House, or any other rents, revenues, or profits of the said Manor of *Wootton Rivers*;—And my will is, and I do hereby appoint and direct, that such youths shall be chosen into the said Twelve last-mentioned Scholarships, whose parents and friends *are not able* to contribute any thing considerable towards their maintenance in the University, and therefore I have given and appointed for them the larger allowance;—and my will is, that the persons that shall be chosen into the said Twelve Scholarships, or any of them, shall be such as design or intend to take upon them the *Ministry*; and that they shall, in order thereunto, so soon as they shall be fit for it, incline and dispose themselves to the study of *Divinity*;—but all other things relating to the said additional Somerset Scholarships, in former rules and directions, shall stand and be observed, and these last-mentioned Twelve Somerset Scholars to differ from them in nothing, save only in their maintenance, as is hereinbefore expressed.”

On the 12th of January, 1703, Administration, with the Will and Codicil annexed, of the goods of the Right Honorable Sarah Duchess Dowager of Somerset, was granted to Mr. Staunton, the Curator or Guardian lawfully assigned to the Honorable Langham Booth, Esquire, a Minor, the Residuary Legatee, named in the said Codicil, for the use and benefit of the said Minor, until he attains the age of one and twenty years, having been first sworn, by Commission, duly to administer. The Right Honorable Henry Comes,^t Sir Samuel Grimston, Baronet, and Sir William Gregory, Knight, the Executors, dying without taking upon them the Probate and Execution of the said Will and Codicil.

On the 19th of February, 1705, Administration, with the Will and Codicil annexed, of the goods of the Right Honorable Sarah Duchess Dowager of Somerset, was granted to the Honorable Langham Booth, Esquire, the Residuary Legatee named in the said Codicil, He having been first sworn, by Commission, duly to administer the letters of Administration of the goods of the said deceased, granted in the month of January, 1703, to William Staunton, Esq. for the use and benefit of the said Honorable Langham Booth, Esquire, then a Minor, the said letters having ceased and expired, by reason of the said Minor having attained his age of twenty-one years; And the Right Honorable

^t So in the original.

Henry *Comes*, Sir Samuel Grimston, Baronet, and Sir William Gregory, Knight, the Executors named in the said Will, having departed this life without taking upon them, or either of them, the Probate and Execution of the said Will and Codicil.

GEO. GORTLING,
NATH. GORTLING, } Deputy Registers.
R. C. CRESSWELL, }

By the Codicil annexed to this Will the Duchess of Somerset's Scholars, at both the Colleges of Brasen-Nose and St. John, are also entitled to a preference, in case of a vacancy, to the valuable living of Wootton Rivers, in the county of Wilts.

The Nominators to these Scholarships are the Principal and Fellows of Brasen-Nose College, Oxford; and the Master and Fellows of St John's College, Cambridge.

OF THE FEOFFEEES OF MANCHESTER SCHOOL.

The Feoffees of this most excellent Foundation have usually been elected from among the Nobility and Gentry of Lancashire and the adjoining Counties, from such persons as have received their education at the School, or from others whose families have formerly been connected with the district in which Manchester is situated.

The Warden and Fellows of Manchester College, as appears by the Foundation Charter of the 20th of August, 1515, were the first Feoffees, and received their appointment under that date. They were

Robert Clyffe, L.L.D. Warden,^u

and

John Bamford, William Bradford, John Lording, Richard Massey, Ralph Moody, Henry Siddall, and Richard Bexwyke, Fellows.

^u Robert Clyffe, Warden of Manchester College at the period of the first foundation of the School, received his education in the University of Cambridge, and took his degree of Doctor of Laws.

He appears to have been appointed to the Wardenship about the year 1509,* and to have retained

* Hollingworth.

On the new Foundation of the School, of the 1st of April 1524, the following persons were appointed Feoffees by Hugh and Joan Bexwyke,

it until 1518. He was also Master of St. Peter's College, in Cambridge. In 1525 he was made Chancellor of the Diocese of Ely, by West, Bishop of that See, with whom he was in high esteem, and from whom he had previously, in the same year, received the offices of Commissary-General and Official Principal, and the Vicarage of Wisbeach, and Rectory of Cottenham, near Cambridge, and, in 1528, the Rectories of Northwold and Outwell St. Clements, in the county of Norfolk.—He died in 1538.

The following account of his Excommunication by the Vice-Chancellor of the University of Cambridge, is taken from a Volume, in the MS. Library of Archbishop Parker, belonging to Corpus Christi College, and is extremely curious and interesting.

“Of the excommunication of Ds. Cliff, L.L.D., Chancellor to N. West, Bishop of Ely.

“Mem. that in the year of our Lord 1529, Dr. Edmunds, Master of Peter College, being then Vice-Chancellor of Cambridge, the said Dr. Cliff attempted to call before him one Sir Henry of Bardnard Castle, commonly called Sir Henry the younger, who, for a certain fact of incontinence charged upon him as done without the territory of the University, the said Cliff proceeded against him, and did excommunicate him;—which thing was complained of to the Vice-Chancellor, and the said Dr. Cliff charged with infringing the Liberties of the University.—And thereupon, for his contempt, was excommunicated by the said Vice-Chancellor, and a day appointed when the Vice-Chancellor, with his assistants, should call the said Dr. Cliff before him to make answer.

“Whereupon the Vice-Chancellor did choose for the place of examination the Logic Schools, sitting in the seat commonly appointed for the Answerer, and his assistants being round about him, among which assistants T. Thorlby,† Dr. of the Civil Law, was.—Then the said Dr. Cliff was called, and he with his company made appearance, and being much charged for breaking of the Privileges, which were then alledged by the Proctors and openly read, the said Cliff, in a great stomach, and in a stout glory, answered, That he had done nothing otherwise than the law did bear him, and to the law would he stand, with strong protestations in the blessed name of his Master, and, in conclusion, brought forth his Book, *de Privilegiis*, and read the law very seriously, triumphing before the University, and said this word to the Vice-Chancellor, ‘Sir, you see the plain ground that I stand upon, the law is manifest and open, to justify my doing, and for that it is not your profession to append the law, I here offer my book, and whereas you have among your assistants a learned man in the law, (meaning Dr. Thorlby) who, I am sure, will so judge of this law as I do alledge it;—Thereupon I offer him my book to see the law;—And your Mastership shall grieve how I am unjustly molested, and therefore desire to be dismissed with my costs, and the interest of my Master, the Reverend Father, the Bishop of Ely, may be acknowledged, and the adversary put to perpetual silence.’—Then the Vice-Chancellor required the said Dr. Thorlby to consider of the said law alledged, which he did, And after a long expectation to understand what he should judge of this law, he said, in conclusion, Thus, Mr. Dr. Cliff, as Chancellor unto the Bishop of Ely, you have stoutly maintained his jurisdiction to the derogation of the Privileges of the University;—And for some countenance you have alledged this law, which may seem, at the first sight, to make for you, but if it would have pleased you to have well weighed the whole law, and have brought in the latter part of the law, you should have seen the peculiar case, which we have now in hand, to be then sufficiently ruled, that, standing such privileges as the University have alledged plainly to them permitted, you should not have

† Afterwards the first and sole Bishop of Westminster.

the parties who executed the Indenture; and drew up the Schedule or Statutes of the School.

¹ Sir Lewis Pollard, Knight, one of the Justices of the King's Bench.

excommunicated this party, being out of your territory, and so enfranchised.—And thereupon you mistake the law, for it will not serve your purpose.

“With this, the University, as many were present, rejoiced to see his hold so well wiped away; he and his Complices were amazed, but yet would not so give in, but wrangled as they could, and, after many words, the matter was suspended, and referred to the judgment of the Cardinal, and of his learned Council.—And so it was brought up before the Cardinal, ‡ his Secretary taking the part of the University against Dr. Cliff, who with his Counsel answered for himself.—But, in conclusion, the said Dr. Cliff was commanded to repair soon to the University, to submit himself to the Vice-Chancellor, praying him to give him absolution, promising that he would hereafter attempt no more such matter against the privilege of the University;—whereto he was sworn, saying, that he was sorry that there should be any variance between the University and himself.

“And so, upon his submission on his knees before the Vice-Chancellor, meekly taking his absolution, he was dismissed from any farther penance, and therewith, at the request of his Friends, before the Cardinal, he was restored again to his place and degree within the University as before.

“And so the privileges of the University, in their exemptions from the jurisdiction of the Bishop of Ely, were corroborated and received, after a like process that sometime was had between the Bishop and the University, in annis 1429 et 1430, and delegated by Martin, then Bishop of Rome, to the Prior of Barnwell, and to Dr. J. Deping, which process is recorded in the black book of the University.”

Of the Fellows of the College at this period, (1515,) little or nothing is known; their number on the first foundation was eight.

¹ Sir Lewis Pollard, Knight, son of Robert Pollard, of Wray, in the county of Devon, Esq. was born in the year 1465. Having received a suitable education, he was entered a member of the Middle Temple, London, where he resided until he was chosen Reader of that Society, in 1503, 18th Henry 7th. In the 20th year of the same reign, he, with some others, was called to the degree of Serjeant-at-Law, in honour of which ceremony, a great entertainment was given, and his Majesty and the Members of the Inns of Court breakfasted together, to the amount of a thousand persons, in the Archbishop's Palace, at Lambeth. In 1507, 22d of Henry 7th, he was made King's Serjeant-at-Law, and at the accession of Henry 8th was retained in that office, and, in 1515, appointed one of the Justices of the King's Bench.

Sir Lewis was a man of great honour and integrity, and enjoyed a very extensive and lucrative practice. He purchased large estates at King's Nimton, in the county of Devon, where he erected a stately mansion, and laid out a large deer park adjoining. He died in the year 1540, leaving twenty-two children, and was buried at King's Nimton.—In the church-window is the following memorial. “Orate pro bono statu Ludovici Pollard, Militis, unius Justiciariorum Domini Regis de Banco, et Elizabethæ uxoris ejus, Qui istam fenestram fieri fecerunt.”—This family having flourished in the county of Devon during many centuries, afterwards rose to the rank of Baronets. The title is, however, now extinct.

‡ Wolsey, Archbishop of York.

² Sir Anthony Fitzherbert, Knight, also one of the Justices of the King's Bench.

³ Sir William Courtney, of Ilton, in the County of Devon, Knight.

⁴ Sir Thomas Denys, of Halcom, in the County of Devon, Knight.

⁵ Sir Alexander Radcliffe, of Ordsall, Knight.

² Sir Anthony Fitzherbert was the son of Ralph Fitzherbert, Esquire, descended of a very ancient family, residing at Norbury, in the county of Derby, and born in the year 1470. He received his education in the University of Oxford, and was constituted Serjeant-at-Law on the 18th of Nov. 1510, 2d Henry 8th. In 1516 he was made King's Serjeant, and received the honour of knighthood, and in 1522 was appointed one of the Justices of the King's Bench.

Sir Anthony was renowned for his great prudence, knowledge, and love of justice, and became, in his day, the oracle of the law. He has produced several excellent works, among which are "The Abridgment of the Common Law, contained in the Year Books and other Books of the Law Readings and Records." Lond. 1514, fol.—"A Calendar or Index."—"Magna Charta, cum diversis aliis Statutis." Lond. 1519, 12mo.—"The Office and Authority of Justices of Peace." Lond. 8vo.—"The Office of Sheriffs, Bailiffs, Escheators, Constables, Coroners, &c." Lond. 8vo.—"Of the diversity of Courts." Lond. 1529.—"The Book of Husbandry, very profitable and necessary for all Persons." Lond. 1532, 8vo.—"Natura Brevium." Lond. 1535.—"Of the Surveying of Lands, &c." Published after his death, Lond. 1539, 8vo.

Sir Anthony died in 1538, and was buried in Norbury church. He left no male issue.

³ Sir William Courtney, a descendant of Hugh Courtney, Earl of Devonshire. The Castle of Ilton was built in 1335, and, with several Manors in Devonshire, was apportioned to a junior branch of this most ancient and noble family, of which Sir William was a member. This property was enumerated in an Inquisition, after the death of his descendant, Sir Wm. Courtney, in 1624. He died about 1548.

⁴ Sir Thomas Denys was born in the year 1480, at Holcomb-Burnel, near Exeter. He was a descendant of an ancient and honourable family, and was remarkable for having lived in the reigns of no less than eight Sovereigns of England. His first employment was that of a Gentleman of the Household of Henry the 7th. He was afterwards, successively, one of the Privy Council to King Henry 8th,—Chancellor to Queen Anne, wife of that Sovereign, and Custos Rotulorum, and nine times High Sheriff of the county of Devon. He died in 1560, aged 80 years, and was interred in Halcomb church, where a handsome monument is erected to his memory.

Sir Lewis Pollard, Sir William Courtney, and Sir Thomas Denys were, doubtless, intimate acquaintances of the Bishop, and in his confidence. It cannot be surprising, therefore, that we have their names as Feoffees.

⁵ Sir Alexander Radcliffe was the eldest son and heir of John Radcliffe, of Ordsall, Esquire, by Elizabeth, daughter of Sir William Brereton, of Brereton, Knight ;—The house of Radcliffe was one of the most powerful and extensive in the county of Lancaster, and branched out into many numerous and opulent families. Sir Alexander married Alice, daughter of Sir John Booth, of Barton, Knight, and left a large family. He served the office of Sheriff of the county in the years 1546 and 1547, and died in 1550.

- ⁶ Sir John Byron, of Clayton, Knight.
- ⁷ Edmund Trafford, of Trafford, Esquire.
- ⁸ Richard Asheton, of Middleton, Esquire.
- ⁹ Thurstan Tyldesley, of Wardley, Esquire.
- ¹⁰ Robert Langley, of Agecroft, Esquire.
- ¹¹ Richard Holland, of Denton, Esquire, and
- ¹² John Reddish, of Reddish, Esquire.

⁶ Sir John Byron, Knight, the only son and heir of Sir Nicholas Byron, of Clayton, by Joan, daughter of Sir John Bushye, of Hougham, in the county of Lincoln, was born in 1487.—He had a grant, on the 28th of May, 1540, of the Priory of Newstead, in the county of Nottingham, and was the first of the family who changed their residence from Clayton to Newstead. He was Steward of Manchester and Rochdale, and Lieutenant of the Forest of Sherwood. By his first wife he had no issue, but by his second, Elizabeth, daughter of John Costerdine, of Blackley, in the county of Lancaster, Gent. he had four sons. He was succeeded in his estates by his eldest son, Sir Nicholas.

⁷ Edmund Trafford, Esq. (afterwards knighted) eldest son of Edmund Trafford, of Trafford, Esq. and lineal male heir of that ancient house. He married Elizabeth, daughter of Sir Ralph Longford, of Longford, Knight, and left by her five sons and five daughters. Sir Edmund died at the early age of 48, nine years after his appointment as Trustee, and was succeeded in that office by his eldest son and heir.

⁸ Richard Assheton, Esq.—This gentleman was the eldest son and heir of Sir Richard Assheton, Knight, (one of the warriors of Flodden, in the Year 1513, 5 Hen. 8th, who commanded a body of soldiers, raised at his own expense, in the county of Lancaster, and took prisoners Sir John Forman, Serjeant Porter to James the 4th, and Alexander Barrett, High Sheriff of Aberdeen,) by Anne, daughter of Sir Thomas Strickland, of Sizergh, Knight. He married Anne, daughter of Sir John Gerrard, of Bryn, Knight, and was succeeded by his only son and heir Richard.

⁹ Thurstan Tyldesley, of Wardley, Esquire, son of Thomas Tyldesley, Esquire, of the same place, by Ann, daughter of William Radcliffe, of Ordsall, Esquire. He was twice married and left several children.

¹⁰ Robert Langley, Esq. (afterwards Sir Robert Langley, Knight,) of Agecroft, and son of Sir John Langley, of the same place. He married Cecilia, second daughter of Sir Edmund Trafford, and left four daughters:—1st, Dorothy, who died, s. p.—2d, Anne, married to William Dauntsey, Esq. of the county of Southampton—3rd, Margaret, to John Reddish, Esq. of Reddish—and 4th, Katherine to Thomas Legh, second son of Sir Piers Legh, of Lyme, Knight.—This Sir Robert was the last of the family of Agecroft.

¹¹ Richard Holland, of Denton, Esquire, (afterwards knighted,) second son, and at length heir, of Thurstan Holland, of Denton, Esquire, by Jane, daughter of Ralph Ardern, of Hardern, Esquire.—He married a daughter of John Fitton, of Gawsorth, county of Chester, Esq.

¹² John Reddish, of Reddish, Esquire, son and heir of Otho Reddish, Esquire, by Lucy, daughter

On the 3d of October, 1556, 3d year of the reign of Queen Mary, the surviving Feoffees:—

Sir Thomas Denys, Knight, by letter of Attorney, in consequence of old age, and the great distance of his residence from Manchester.

Sir John Byron, Knight, and	} personally,
John Reddish, Esquire,	
Appointed	

¹³ Sir Edmund Trafford, of Trafford, Knight.

¹⁴ Sir William Radcliffe, of Ordsall, Knight.

¹⁵ Edward Holland, of Denton, Esquire.

¹⁶ Alexander Barlowe, of Barlowe, Esquire.

¹⁷ John Byron, of Clayton, Esquire.

of Robert Duckinfield, of Portwood, Esquire. He married Clemence, daughter of Sir Robert Worsley, of Boothes, Knight.

It is to be remarked, that the families of Radcliffe, Byron, Trafford, Assheton, Tyldesley, Langley, Holland, and Reddish were, at this period, very closely allied by intermarriages with each other, and continued to afford Feoffees to these Charities during several succeeding generations.

¹³ Sir Edmund Trafford, (eldest son of Sir Edmund Trafford, Knight,) nominated under the appointment of 1556, was knighted by the Earl of Hertford, the Commander of the forces in Scotland, in the 36th of Henry 8th, and was with that sovereign at the siege of Bologne. He married Anne, daughter of Sir Alex. Radcliffe, the foregoing Feoffee, was Sheriff of the county in 1557, and died in 1564.

¹⁴ Eldest son and heir of Sir Alexander, of Ordsall, Knight;—He married Margaret, daughter of Sir Edmund Trafford, of Trafford, by whom he left a family of three sons and two daughters. His heart was deposited in an urn in Sandbach Church, in the county of Chester, and his body in a tomb in the Collegiate Church of Manchester, where a handsome monument, marked by the following elegant distich, was erected to his memory, but which was destroyed during the civil wars by Cromwell's soldiers:

“SANDBACH COR RETINET, SERVAT MANCESTRIA CORPUS,
CŒLESTEM MENTEM REGNA SUPERNA TENENT.”

¹⁵ Eldest son of the foregoing Richard; he married 1st, Jane, daughter of John Carrington, Esquire, and 2dly, Cecilia, daughter of Sir Edmund Trafford, Knight, and relict of Sir Robert Langley, of Agecroft. He was Sheriff of the county in 1568.

¹⁶ Of Barlow Hall, near Manchester, eldest son and heir of Ellis Barlow, Esquire, of the same place, by Anne, daughter of Otho Reddish, of Reddish, Esquire. He married Elizabeth, daughter of George Leigh, a younger brother of Leigh, of High Leigh, in Cheshire, and left by her one son, Alexander, and four daughters.

¹⁷ Fourth son, and at length heir of Sir John Byron, Knight, of Clayton and Newstead; he served the office of Sheriff in the years 1572 and 1581, and received the honor of Knighthood 21st of Elizabeth, 1579;—he married Alice, daughter of Sir Nicholas Strelley, of Strelley, in the county

- ¹⁸ Otho Reddish, of Reddish, Esquire.
- ¹⁹ Edmund Prestwich, of Hulme, Esquire.
- ²⁰ Robert Clayton, of Manchester, Gentleman.
- ²¹ Thomas Birche, of Birch, Gentleman.
- ²² John Chetham, of Nuthurst, Gentleman.
- ²³ William Hyde, of Denton, Gentleman, and
- ²⁴ Ralph Culcheth, of Newton, near Manchester, Gentleman.

In the 23d year of the reign of Elizabeth, 1581,

Sir John Byron, Knight,

Alexander Radcliffe, Esquire, eldest son of Sir William,

and Thomas Birche, Gentleman,

Appointed

²⁵ Sir Edmund Trafford, of Trafford, Knight.

of Nottingham, and by her had three sons and five daughters. He afterwards married Margaret daughter of Sir William Fitzwilliam, Lord Deputy of Ireland.

¹⁸ Eldest son of John Reddish, Esquire, of the nomination of 1524. He married Alice, daughter of Ralph Prestwich, Esquire, of Hulme, by whom he had eight children.

¹⁹ Second son and heir of Ralph Prestwich, of Hulme, Esquire, by Agnes, daughter of Robert Langley, of Agecroft, Esquire;—He married Isabel, daughter of Thomas Rigmaiden, of Wedacre, Esquire.

²⁰ A branch of the ancient family of Clayton, of Clayton, settled in Manchester in the time of Henry the 8th. They yet survive in that town.

²¹ Thomas Birch, of Birch, Esquire, son of George Birch, of the same place, by Marianne, daughter of Thomas Birch, of Manchester;—he married Elizabeth, daughter of John Chetham, of Nuthurst, 16th of April, 1547; by whom he had a son and heir George.

²² John Chetham, of Nuthurst, Gentleman, son and heir of Thomas Chetham, Gentleman, and representative of the eldest branch of this extensive family, which was originally situated at Chetham, near Manchester, soon after the Conquest.

²³ Eldest son of Nicholas Hyde, of Denton, Gentleman, representative of this branch of the ancient family of the Hydes, of Norbury, in the county of Chester.—He married Katherine, daughter of Alexander Elcock, of Stockport, and left eleven children.

²⁴ A descendant of a junior branch of the ancient family of Culcheth, of Culcheth, which settled at Newton, near Manchester.

²⁵ Eldest son and heir of the last Sir Edmund. He was born on the 3rd of June, 1526, and married, first, the Lady Mary, daughter of Lord Edmund Howard, (and sister of Queen Catherine Howard,

- ²⁶ Sir John Radcliffe, of Ordsall, Knight.
- ²⁷ Richard Holland, of Denton, Esquire.
- ²⁸ John Byron, of Clayton, Esquire.
- ²⁹ Alexander Barlowe, of Barlowe, Jun. Esquire.
- ³⁰ Alexander Reddish, of Reddish, Esquire.
- ³¹ Edmund Prestwich, of Hulme, Esquire.
- ³² George Birch, of Birch, Gentleman.
- ³³ Robert Hyde, of Denton, Gentleman.
- ³⁴ Edmund Chadderton, of Nuthurst, Gentleman.

wife of Henry 8th,) who died without issue—and secondly, Elizabeth, daughter of Sir Ralph Leicester, of Toft, Knight, by whom he left a son and heir, Sir Edmund, and two daughters. He died in 1590, aged 64.

²⁶ Sir John Radcliffe, of Ordsall, 2nd son, and at length heir, of Sir William, (No. 14) married Ann, daughter and heir of Thomas Ashaw, of Ashaw-on-the-Hill, Gentleman, in whose right he had that manor, with Elston, and many other estates in the county. His eldest son, Sir Alexander, was knighted at the sacking of Calais, on Sunday 20th of June, 1596, and was slain at the battle of Cunlew Hills, in Ireland, on the 31st of August, 1599, and died unmarried. His second son, William, died fighting at the Fort of Blackwater, in Ireland, 1598—and his fifth son, Edmund, was killed in the wars of the Low Countries.

²⁷ Eldest son and heir of the foregoing No. 15.

²⁸ John Byron, of Clayton, Esq. second son of the last-mentioned Sir John, was created a Knight of the Bath at the Coronation of James 1st, 1603; he was ancestor of a most warlike progeny. His eldest son, John, for his services in the cause of Charles 1st, was created a Peer of the Realm, with remainder to his six brothers, and their heirs male. His second son, who succeeded to the title, distinguished himself in the action at Edge-hill, and received numerous substantial marks of the King's favour. William, the fourth son, was drowned on his passage from Ireland. Sir Robert, the fifth, was Colonel of Foot in the King's service,—and Sir Philip, the seventh, after many signal services, was killed at the head of his regiment in defence of the city of York, when stormed by the Parliamentary forces, in 1644.

²⁹ Eldest son and heir of No. 16, his father having resigned the trust. He married Elizabeth, daughter and co-heir of Ralph Belfield, of Glegg, in the county of Lancaster, Gentleman.

³⁰ Grandson of No. 18—second son of John Reddish, of Reddish, Esquire, by Margaret, daughter and co-heir of Sir Robert Langley, of Agecoft, Knight. He died without issue.

³¹ Son and heir of No. 19.

³² Son and heir of No. 21.

³³ Third son, and at length heir, of No. 23. He married Ann, daughter of John Ardern, of Hardern, Esquire, by whom he had six children.

³⁴ Eldest son and heir of George Chadderton, of Nuthurst, Gentleman, and nephew of Dr. William Chadderton, Bishop of Chester 1578, and of Lincoln 1595.

³⁵ James Chetham, of Nuthurst, Gentleman, and

³⁶ William Culcheth, of Newton, near Manchester, Gentleman.

By deed of Infeoffment, dated 3rd Charles 1st, 14th April, 1628,
Sir John Byron, Knight of the Bath, as heir of his Grandfather, the
late surviving Feoffee,

Appointed

³⁷ Sir Alexander Radcliffe, K. B.

³⁸ Sir Cecil Trafford, Knight.

³⁹ Mr. Hyde.

⁴⁰ Mr. Radcliffe.

⁴¹ Mr. Tipping.

⁴² Mr. Stanley, of Broughton Hall.

⁴³ Mr. Booth.

³⁵ Grandson of No. 22 ;—He died in 1616, 13th of James 1st, possessed of extensive estates in Nuthurst, Butterworth, Middleton, Castleton, and Crompton.

³⁶ Son of the foregoing No. 24.

³⁷ Grandson of the foregoing No. 26, and eldest son of Sir John Radcliffe, of Ordsall, a Lieut.-Colonel in the army of Charles 1st, during the wars in Ireland, who received the honour of knighthood, and was killed in an action against the French, in the Isle of Rheè, on the 29th of October, 1627. Sir Alexander was created a Knight of the Bath at the Coronation of King Charles 1st.

³⁸ Sir Cecil Trafford, fourth son of Sir Edmund, by the Lady Mildred, second daughter of Thomas Cecil, first Earl of Exeter :—His father was three times Sheriff of the county, and was knighted at York by James 1st, on his entry into England to assume the crown, after the death of Elizabeth, on the 17th of April, 1603.—Sir Cecil was born in 1599, and received the honour of knighthood on the 16th of August, 1617, during the Progress, at Hoghton Tower :—Having embraced the Catholic religion, he was afterwards included in the proscribed list of Recusants, but, nevertheless, shewed his sincere attachment to Charles 1st, during his misfortunes, and petitioned the king, while at Shrewsbury, to accept of his services, and those of his tenants and retainers.

³⁹ and ⁴⁰ Members of the respective families before-named, but not identified.

⁴¹ Of a respectable family resident in Manchester—whose descendants are, I believe, still living there.

⁴² Natural son of Henry Stanley, Earl of Derby, by Jane Halsall.—He resided at Broughton Hall, near Manchester, and was succeeded by his son and heir, Ferdinando Stanley, Esquire.

⁴³ Supposed to be one of the Booths, of Salford, and very probably Humphrey, the Founder of Trinity Chapel.—If so, he is again nominated in the Parliamentary appointment of 1647.

The names of the last five Feoffees are recovered from the letter of Mr. Rowland, one of the High Masters.—See under that chapter.

In the time of Cromwell, when all the Feoffees were either dead or had resigned their trusts, except one, who, by the deed, was incapable of acting, the Parliament, on the 6th of March, 1647, on the representation of the inhabitants, ordered that

⁴⁴ Sir Alexander Radcliffe, Knight.

⁴⁵ Ralph Ashton, of Middleton, Esquire.

⁴⁶ Richard Holland, of Denton, Esquire.

⁴⁷ Robert Hyde, of Denton, Esquire.

⁴⁸ Richard Radcliffe, of Manchester, Esquire.

⁴⁹ Richard Howarth, of Manchester, Esquire.

⁴⁴ I have not succeeded in identifying this knight.—Sir Alexander Radcliffe, K. B. of Ordsall, (No. 37,) is said to have wasted his large estates, and his posterity have not been traced or made known. He married Jane, daughter of Mr. Shute, (*in lege eruditus*) but whether he had any family or not, I cannot tell.

⁴⁵ Second son and heir of Richard Ashton, of Middleton, Esquire, by Mary, daughter of Thomas Venables, Baron of Kinderton. He was Sheriff of the county in 1633, and married Elizabeth, daughter of John Kay, of Woodsam, in the county of York, Esquire.—This gentleman was one of the Generals in the Parliamentary army, and Commander of the Forces in Lancashire. He was also Member of Parliament for the county in the early part of the reign of Charles 1st.—He distinguished himself particularly by his zeal and attachment to the service of Cromwell during the civil war, when, at the head of the militia of Lancashire, about one hundred and fifty of his own tenants, and other volunteers from the neighbouring estates, he successfully defended the town of Manchester, then besieged by Lord Strange.—His remains were interred in Middleton church, under a block of black marble, with this inscription engraved upon it.

M. S.

“Radulphi Assheton, Armigeri, Domini de Middleton, Pii in Deum, Patriam, et suos, Copiarum omnium in Agro Lancastriensi supremi senatus Auctoritate conscriptarum Præfecti fortis et fidelis, qui, cum è conjuge sua Elizabetha, filia Johannis Kay de Woodsom, in Agro Eboracensi, Armigeri, suscepisset filios tres, Ricardum, Radulphum, Johannem, totidemque filias, Elizabetham, Mariam, Annam, obdormivit in Jesu, 17^o Febr. 1652, Ætatis suæ 45 currente.”

⁴⁶ Eldest son of Edward Holland, (second son of Edward, No. 15, and Cecilia, daughter of Sir Edmund Trafford,) by a daughter of Edward Gamull, of the city of Chester.

⁴⁷ Third son of Robert Hyde, (No. 33,) Esquire, of Denton.

⁴⁸ A branch of the family of Radcliffe resided, in 1641, at Pool Fold Hall, in Manchester, of which there is a drawing in Mr. Barritt's Collections, before it was taken down in 1811.

⁴⁹ Descended from the Howarths of Howarth, an ancient family of Gentry in this county. They occur as early as the time of Edward 1st, or even Henry 3d.

- ⁵⁰ Thomas Birch, of Birch, Esquire.
⁵¹ John Lightbourne, of Salford, Esquire.
⁵² Humphrey Booth, of Salford, Gentleman.
⁵³ Edward Johnson, of Manchester, Gentleman.
⁵⁴ Richard Fox, Gentleman, and
⁵⁵ Richard Lomax, Gentleman, should be appointed
 Feoffees of the School.

On the 1st of December, 1654, the following Gentlemen formed the body of Feoffees :—

- ⁵⁶ John Radcliffe, of Ordsall, Esquire.
⁵⁷ Richard Holland, of Denton, Esquire.
⁵⁸ Alexander Barlow, of Barlow, Esquire.
⁵⁹ Robert Hyde, of Denton, Esquire.
⁶⁰ Richard Howarth, of Manchester, Esquire.
⁶¹ Thomas Birch, of Birch, Esquire.
⁶² George Chetham, of Clayton, Esquire.
⁶³ Richard Radcliffe, of Manchester, Esquire.

⁵⁰ Grandson of Thomas Birch, Esq. (No. 21) and son of George Birch, of Birch, Esq.—In 1647 he was aged thirty-three years, and had, at that time, a son, Thomas, his heir, aged 18, afterwards the Author of the Birch Manuscripts, &c.

⁵¹ Representative of an old Lancashire family, which afterwards removed to Moston, near Manchester, and an intimate friend and correspondent of Humphrey Chetham, Esquire, of Clayton, and one of the Supervisors of his will.

⁵² Humphrey Booth, of Salford, Gentleman.—He realized a large fortune by a steady application to trade, and, at his own expense, with the exception of some small sums subscribed by other gentlemen, his neighbours and friends, founded and endowed Trinity Church, in Salford.—He was a just and generous man, very hospitable to strangers, and bountiful to the church and poor.—See No. 43.

⁵³ Son of Henry Johnson, of Manchester, mercer, by Mary, daughter of Richard Stone, of Carr House, in the county of Lancaster.—His sister Elizabeth was the wife of George Chetham, of Clayton, one of the Feoffees of 1654.

⁵⁴ ⁵⁵ Members of old Manchester families, at this distant period not easily identified.

Nos. 46, 47, 48, 49, 51, 53, 58, and 66 were Trustees under the will of Humphrey Chetham, Esq. for the foundation of the Blue Coat School in Manchester, and for the due execution of the orders and regulations respecting that charity:

⁵⁶ ⁵⁷ ⁵⁸ ⁵⁹ }
⁶⁰ ⁶¹ ⁶³ } Descendants of families before-mentioned, and not needing any particular notice here.

⁶² Eldest son and heir of James Chetham, (eldest son of Henry Chetham, of Crumpsall, Gentleman,)

⁶⁴ Edward Holbrooke, of Manchester, Esquire.

⁶⁵ John Lightbourne, of Salford, Esquire.

⁶⁶ Robert Booth, of Gray's Inn, Esquire, and

⁶⁷ Thomas Minshull, of Manchester, Esquire.

On the restoration of Charles 2d, a petition from the High Master was presented to the King, requesting of his Majesty that Feoffees might be nominated to execute the duties of the trust, according to the Foundation Charter, whereupon an order was issued to Sir Cecil Trafford, the surviving Feoffee under the appointment of 14th April, 1638, 3d Charles 1st, to enfeoff eleven others named by the King; but Sir Cecil failing to comply, in the month of February, 1661, another petition was presented, complaining that none were elected, and that Sir Cecil had rejected his Majesty's order.

The matter was referred to the Privy Council, and the following minute, extracted from the Council Book of that date, shews the result.

“ At the Court at Whitehall, the 26th February, 1661.

Present,

The Lord Viscount Valentia. Mr. Comptroller of the Household.

The Lord Wentworth. Mr. Vice Chamberlayne.

Mr. Denzell Holles. Mr. Secretary Nicholas.

Mr. Secretary Morice.

In the case depending at this Board between Sir Cecill Trafford, Knight, and the Master of the Free School of the town of Manchester, in the county of Lancaster, about nomination of Feoffees of certain lands belonging to the said

by Isabel Holland, daughter of George Holland, of Salford, Gentleman. He married Elizabeth, daughter of Henry Johnson, of Manchester, mercer, and had several children. He for some time resided in London, and was High Sheriff of the county of Lancaster in 1659. He died in 1664.

⁶⁴ Not known.—⁶⁵ See No. 51.

⁶⁶ Robert Booth, of Salford and Gray's Inn, Esquire, eldest son and heir of Humphrey Booth, Gent. of Salford, the founder of Trinity Chapel, by Elizabeth, daughter of Richard Whitworth, of Newton. He was born in 1605.

⁶⁷ Third son of Richard Minshull, of Wistaston, Esq. by Ellen, daughter of Nicholas Gouldsmith, of Nantwich, in the county of Chester, Esquire. He married Anne, daughter of James Lightbourne, of Manchester, Esq. and was direct ancestor of the Minshulls of Chorlton, near Manchester.

school, first referred to his Majesty, and since, by this Board, to the consideration of the Right Honorable Sir Robert Foster, Knight, Lord Chief Justice of the King's Bench, and Sir Orlando Bridgman, Knight, Lord Chief Justice of the Common Pleas, the said Judges (the Referees) returned their report, thereby declaring, That they have heard the persons concerned, and found the difference to rest only about the nomination of Feoffees of certain lands belonging to the said school, who ought to have been twelve in number, and vacant places supplied, from time to time, when they came only to be four Feoffees, and that Sir Cecil Trafford being the sole survivor, by reason of the late distempered times, when no Feoffees could be legally supplied, his Majesty, (at the instance of the School Masters and town aforesaid,) the 18th of October last, was pleased, under his sign manuell and privy signet, to require that he, the said Sir Cecill, should add eleven others, therein nominated, to himself, and Sir Cecil Trafford petitioned his Majesty for other persons, by him named, to be Cofeoffees with himself. And the said Referees conceived it a fit expedient, for composing the said differences, that some of either party be taken in, to be the eleven Feoffees added to the said Sir Cecil Trafford, that is to say,

⁶⁸ Sir Cecill Trafford, of Trafford, Knight.

⁶⁹ Sir George Booth, of Dunham, Baronet.

⁶⁸ See No. 38.

⁶⁹ Sir George Booth, of Dunham Massey, Baronet, was the second surviving son and heir of William Booth, Esq. by Vere, third daughter and co-heir of Sir Thomas Egerton, Knight.—He sat as one of the representatives of the county of Chester in the Long Parliament, and was thrice returned for the same, during the Usurpation, in 1654, 1656, and 1660. In the struggle between the King and his subjects, he was engaged on the side of the Parliament,—but having conceived a disgust at some of their proceedings, he became one of the most zealous and daring agents in the cause of the Restoration, and by commission from the King at Brussels, in 1659, was made Commander of the Forces in Cheshire, Lancashire, and North Wales. During the general risings for the King, in various parts of the kingdom, he obtained possession of the city of Chester;—from thence he marched to York, but fell back, in consequence of the advance of General Lambert, with whom he engaged, and by whom he was defeated. Sir George attempted to escape, after the battle, in female attire, but was discovered and sent prisoner to the Tower. He was afterwards liberated, and in February, 1660, was restored to his seat in Parliament, and was one of the members deputed to carry to the King the answer of the House to his Majesty's letter. In the following year £20,000 were voted to him, for his eminent services, the half of which only he consented to receive. He had also the Barony of Delamere conferred upon him, and the liberty of proposing two gentlemen for the honor of the Baronetage, and six for that of Knighthood. "After this," according to Collins, "not being studious to please the Court, in those measures which were taken in some part of that reign, both he and his family were soon afterwards disregarded by the King, and ill used by his successor, James the Second."—He died on the 10th of August, 1684, and was buried in the Church of Bowden,

⁷⁰ Sir Edward Moseley, of Hough's End, Baronet.

⁷¹ Sir Ralph Assheton, of Middleton, Baronet.

⁷² Robert Holt, of Stubley, Esquire.

⁷³ Edmund Trafford, of Trafford, Esquire.

⁷⁴ William Butterworth, of Belfield, Esquire.

⁷⁵ George Chetham, of Clayton, Esquire.

⁷⁶ Richard Massey, of Sale, Esquire.

⁷⁷ Edward Chetham, of Smedley, Esquire.

⁷⁸ Edward Ashton, of Chadderton, Esquire, and

in Cheshire.—Lord Delamere married, 1st, Katherine, daughter of Theophilus Fiennes, Earl of Lincoln, by whom he had one daughter, Vere ;—and 2dly, Elizabeth, daughter of Henry Grey, Earl of Stamford, by whom he had eleven children.

⁷⁰ Son of Sir Edward Mosley, Baronet, of Manchester and Rolleston, by Maria, daughter of Sir Gervase Cutler, Knight.—He married Catherine, daughter of the Lord Grey, of Wark, but died without issue. He was the second and last Baronet of the first creation, which title, however, was re-granted to a junior branch of the family in 1720.

⁷¹ Created a Baronet on the Restoration of Charles 2nd, 1660. He married Ann, daughter of Sir Ralph Ashton, of Whalley, in the county of Lancaster, Baronet, and by her left five children.

⁷² Son of John Holt, of Stubley and Castleton, by Dorothy, daughter of Nicholas Banaster, Esq. of Altham, by whom he left seven children.

⁷³ Brother of Sir Cecil. He died unmarried.

⁷⁴ William Butterworth, of Belfield, also of Gray's Inn, in 1691, eldest son of Alexander Butterworth, Esq. of the same place. He died unmarried, in 1726.

⁷⁵ Vide No. 62.

⁷⁶ Eldest son and heir of James Massey, of Sale, Esq. by Mary, daughter of Sir George Leycester, of Toft, Knight. He married Barbara, daughter of Robert Gleave, of High Legh, and left fourteen children.

⁷⁷ Son of the before-mentioned James Chetham, (eldest son of Henry, of Crumpsall,) by his second wife, Isabel, daughter of Mr. Gouldsmith, of Manchester. He was one of the executors of the will of Humphrey the Founder. He left three sons, James, Humphrey, and Edward.

⁷⁸ Edward Ashton, of Chadderton, Esq.—The first Ashton, of Chadderton, was Edmund, second son of Sir Thomas Ashton, of Ashton-under-Line, who married Joan, daughter and co-heir of Sir John Radcliffe, of Chadderton, in whose right he enjoyed the manor of Chadderton, and other lands, in the county of Lancaster. The present Edward was sixth in descent, and the second son of Edmund, Esq. by Dorothy, daughter of Robert Duckinfield, of Duckinfield, Esquire.

⁷⁹ Ralph Brideoake, Doctor of Divinity.

Upon due consideration of which said report, It is this day ordered, his Majesty present in Councill, that the said Sir Cecil Trafford do forthwith, in due manner, enfeof the aforesaid eleven persons, to act jointly with himself, to all intents and purposes, and discharge the trust reposed in them, according to the foundation; And that all persons concerned do acquiesce in, and submit unto, what they shall transact, according to this order.

A true Copy.

W. SHARPE,

Clerk of the Council."

⁷⁹ Ralph Brideoake, D.D.—He was the son of Richard Brideoake, of Cheetham-Hill, near Manchester, by Cicily, daughter of John Booth, Esq. of the county of Chester, and born in the year 1614.

This Divine was educated at the Free Grammar School of Manchester, was admitted a Student of Brazen-Nose College, Oxford, on the 15th of July, 1630, at the age of 16, and, on the 9th of July, 1634, took his degree of Bachelor of Arts.

Having gone through his various exercises with credit to himself, and to the satisfaction of the Vice-Chancellor, he was, in consideration of his indifferent circumstances, elected Pro-Chaplain of New College, and, on the 13th of August, 1636, on the King's visit to the University, by royal letters, created Master of Arts.

Shortly afterwards he was made Curate of Wytham, near Oxford, by Dr. Brinkenden, of Magdalen College, and appointed Corrector of the University Press. In the course of his employment, a work, composed and published by Dr. Thomas Jackson, President of Corpus Christi College, was submitted to his care, and the execution of this duty so highly pleased the Doctor, that, as a reward for his services, he presented Brideoake to the High Mastership of the Grammar School at Manchester, where he had received his education.

He had not long resided in the North, before his friends procured sufficient interest to get him appointed one of the Chaplains to James, Earl of Derby, with whom, by his obsequiousness and ready attentions to the family, he contrived deeply to ingratiate himself.

During the period of the siege of Lathom House by the Parliamentary forces, he appears to have acted the part of Secretary to the Earl, in conjunction with Baggerley and Rutter, his fellow-Chaplains, and, according to Wood, "to have done good service."—It may not, therefore, be altogether improbable, that we are, in part, indebted for the journal of that celebrated siege, to Brideoake's pen.

On the decline of the King's cause, and the subsequent advancement of the Parliamentary power in Lancashire, the Earl of Derby was obliged to move southwards to the assistance of his Majesty, and Mr. Brideoake was left to take the management of his estates. He discharged his duty to his noble patron faithfully, and supported his broken fortunes to the utmost of his power and abilities; and, in 1651, when the Earl fell into the hands of Major Edge, on his retreat after the disastrous battle of Worcester, and was condemned to the scaffold, he accompanied Lord Strange to London, and got his petition for his father's pardon presented to the Speaker of the House of Commons.—He solicited Lenthall's intercession to save his patron from an ignominious death with extraor-

In the short period of sixteen years the number of the Feoffees was reduced to four, when, according to the Charter, it again became necessary to re-appoint.

“At a meeting of y^e feoffees intrusted for y^e Schole of Manchester, at Manchester, July 29th, 1676, it was unanimously agreed by and among the right

dinary and unwearied zeal and perseverance; and did not desist from his importunities until he found his expectations utterly hopeless.

Although the Speaker saw it was impossible to accede to his wishes, and felt himself compelled to reject his suit, he could not but be forcibly struck by the uncommon interest apparent in Brideoake's conduct on the fate of the unfortunate Earl; and, finding him a man of parts and business, nominated him his own Chaplain, and gave him the appointment of Preacher of the Rolls Chapel.

By his new master's interest he was also made Vicar of Whitney, and soon procured the Rectory of the same place, which had been leased out, to be annexed to the Vicarage, and thus enjoyed one of the richest pieces of preferment in the diocese of Oxford.

On the 14th of March, 1659, he was appointed one of the Commissioners, by Act of Parliament, for the approbation and admission of Ministers of the Gospel, after the Presbyterian mode; but that act being soon after set aside, on the King's restoration, he, by dint of unwearied diligence and application, “having a good way of thrusting, and squeezing, and elbowing himself into preferment,” became Chaplain to his Majesty, was installed Canon of Windsor, and, on the 1st of August following, was created Doctor of Divinity.

On the eighth of September he was made Rector of St. Bartholomew's, near the Royal Exchange, in the city of London, “where, in holding forth, preaching, and laying about him in the Pulpit, he equalled any of the holy Brethren of the City.”

He next became Rector of the rich Church of Standish, in Lancashire, to which, indeed, he had been previously presented by Lord Derby, but had never enjoyed it, owing to some disputes with the Triers in Cromwell's time.

In September, 1667, he was made Dean of Salisbury, in the room of Dr. Richard Bayley; and in 1674, by the intrigues of Louisa Querouille, Duchess of Portsmouth, the favourite Mistress of Charles the 2nd, “whose hands were always ready to take bribes,” was nominated by the King to the Bishopric of Chichester.

He received consecration on the 18th of April, 1675, and was permitted, at the same time, to hold, in commendam, with that See, his Canonry of Windsor and the Rectory of Standish.

Dr. Brideoake lived little more than three years after his elevation to the Episcopacy, and died during a visitation of his diocese, on the 5th of October, 1678, in the 64th year of his age, and was interred in St. George's Chapel, at Windsor. A sumptuous monument was erected over his remains by his widow, upon which was inscribed the following Epitaph:

M. S.

Maturus in Deo mortalitatem exiit Rev. in Christo Pater Radulphus Brideoake. Vir audacter probus, magnus, sed humilis. Ingens Atticæ, et omnis eloquentiæ Thesaurus. Exule Carolo II. bonis omnibus mulctatus, reverso à sacris, hujus Capellæ Canonicus, Decanus Sarisburiensis, postea Cicestrensis Episcopus, ΦΙΛΟΞΕΝΟΣ, ΦΙΛΑΓΓΑΘΟΣ, Diœceseos tanquam Familias Pater, Qui, aliænæ salutis consulens, immemor suæ, dum gregem visitaret, grassante febris correptus, Episcopali munere immortalis est. III. non. Octob. 1678. Ætatis suæ LXIV. Marito optimo monumentum hoc posuit mæstissima M. B.

Bishop Brideoake was a worldly man, and spent the greater part of his busy life in the acquisition of wealth and power. Pliant to his superiors as occasions might serve, he seems to have been a

reverend, right hon^{ble} and right wor^{sh} Ralph Lord Bishop of Chichester, George Lord Delamer, Edmund Trafford of Trafford, Esquire, and Mr. Edward Chetham of Smedley, Gentleman, that y^e Gentlemen hereunder named be and are hereby unanimously elected and added to y^e feoffees of y^e said Schole.

²⁰ Henry Booth, Esquire, son and heir to y^e right Hon^{ble} George Lord Delamer.

⁸¹ Sir Ralph Ashton of Middleton, Baronet.

⁸² Sir John Ardern of Harden, Knyght.

thorough master of the art of conciliation, and of converting a favourable opportunity to his own advantage. Fashioning his conduct as a Preacher to the various tastes of the times in which he lived, he had little difficulty in satisfying his audiences, and suiting their expectations.

His constancy to the Earl of Derby, an indulgent and generous Master, and a high-minded Gentleman, forms the best part of his character; and the ready adaptation of his opinions to meet the views of Lenthall speak equally well of his ability as a Courtier and a man of the world.

He was accounted a good Grecian, and possessed some taste in Poetry.

⁸⁰ Henry, second Lord Delamere, and first Earl of Warrington, was the second son and heir of Sir George Booth, Baronet, the first Lord.

He was elected Member of Parliament for the county of Chester, during the life-time of his father, and Custos Rotulorum in 1673. He was distinguished at an early period of his parliamentary career by his ardent affection for the liberties of his country and the Protestant establishment, and by his activity in promoting the Bill of Exclusion against James Duke of York.

For these exertions he was put out of commission of the peace, and deprived of his office of Custos, and was thrice committed to the Tower. He was acquitted, after a trial before a select number of Peers, (Jeffries, his personal enemy, being Judge,) and retired to Dunham, until the arrival of the Prince of Orange, when, feeling that the deliverance of the nation must be effected either by force or miracle, and that it would be presumption to expect the latter, he raised a considerable body of men in Cheshire and Lancashire, and joined the Prince in December, 1688.

In 1689 he was constituted Lord Lieutenant of the county of Chester, and made a Privy Counsellor, which offices he held for life; and Chancellor and Under Treasurer of the Exchequer, which offices he held for one year only. He was also created Earl of Warrington on the 17th April, 1690.

Lord Warrington's Works, consisting chiefly of Speeches in Parliament, Family Prayers, Political Tracts, and "The Case of William Earl of Devonshire," were published collectively in 1694. He was also the Author of the late Lord Russell's Case, with observations upon it, in 1689.—He died on the 2nd of January, 1694, in the 42nd year of his age, and was buried in the chancel of Bowden Church. He married Mary, daughter of Sir James Langham, of Cottesbrooke, in the county of Northampton, and left four sons and two daughters.

⁸¹ He died in 1716, and was succeeded by his nephew, Sir Ralph.

⁸² Eldest son and heir of Richard Ardern, of Harden and Alvanley, Esquire, by Eleanor, daughter and co-heiress of Sir John Done, of Utkinton and Flax-yards, Knight, by Dorothy, daughter of Thomas Wilbraham, of Woodhey, in the county of Chester, Esquire.—He was born at Utkinton, in May, 1630, and knighted at Whitehall, on the restoration of Charles 2nd, on the 9th of July, 1660;—He served the office of High Sheriff of the county in the year 1667, and dying on the 6th of February, 1702, was buried at Stockport.

⁸³ William Hulton of Hulton, Esquire.

⁸⁴ William Hulme of Deafe-Hulme, Esquire.

⁸⁵ Mr. James Chetham, eldest son of Mr. Edward Chetham of Smedley, Gentleman, and

⁸⁶ Mr. Henry Dickenson of Manchester.

Given under o^r hands and seales the day & year above written.

RALPH CHICHESTER (LS)
 DELAMER (LS)
 EDMUND TRAEFORDE (LS)
 EDWARD CHETHAM (LS)"

"At the meetinge of the feoffies intrusted for the schoole of Manchester, at Manchester, Auguste 9th, 1676, it was unanimously agreed that Mr. Richard Foxe, of Manchester, Gentleman, be made feoffye in place of Mr. Henry Dickenson, of Manchester, and that Mr. George Tippinge, of Manchester, Gentleman, be the clerke of the free schoole of Manchester, in place of Mr. Edmund Gouden, who by the unanimous consente of all the feoffies is hereby removed, and it is ordered that Mr. George Tippinge give good security by bonde to the feoffies for makinge true accounts and payinge what hee shall receive of the profits.

RALPH CHICHESTER.
 EDM. TRAEFORDE.
 WILL. HULME.
 EDWARD CHETHAM.
 JAMES CHETHAM."

On the 4th of August, 1686, the Feoffees were the following:

⁸⁷ The Right Hon. Henry Lord Delamere, of Dunham, in the county of Chester.

⁸⁸ Sir Ralph Ashton, of Middleton, Baronet.

⁸⁹ Sir John Ardern, of Harden, in the county of Chester, Knight.

⁸³ William Hulton, of Hulton Park and Farnworth, Esq. lineal male heir and representative of this very ancient and honourable house, and 20th in descent from Blethyn de Hulton, of Hulton, living in the reign of Henry the 2nd, was the only surviving son and heir of Adam de Hulton, of Hulton Park, Esq. by Grace, sole daughter of Edmund Howarth of Howarth, in the county of Lancaster, Esq.—He married Anne, only child and heiress of William Jessop, of Warwick House, Holborn, and Gray's Inn, in the county of Middlesex, Esq. M.P. for the borough of Stafford, by whom he had a numerous family. He died on the 27th of May, 1694, and was buried with his ancestors in the Hulton Chapel, in the Chancel of the Parish Church of Dean, near Bolton, and was succeeded in his estates by his second son and heir, Henry Hulton, of Hulton Park, Esq. the Feoffee under the appointment of 1696.

⁸⁴ Vide Hulme Exhibitions, page 55.

- ⁹⁰ Edmund Trafford, of Trafford, in the county of Lancaster, Esquire.
⁹¹ Richard Legh, of Lyme, in the county of Chester, Esquire.
⁹² Edmund Ashton, of Shuttleworth, in the county of Lancaster, Esquire.
⁹³ James Holt, of Castleton, in the county of Lancaster, Esquire.
⁹⁴ William Hulton, of Hulton, in the county of Lancaster, Esquire.
⁹⁵ Thomas Legh, of Lyme, in the county of Chester, Esquire.
⁹⁶ James Lightbourne, of Moston, in the county of Lancaster, Esquire.
⁹⁷ William Hulme, of Davy-Hulme, in the county of Lancaster, Esquire.
⁹⁸ James Chetham, of Smedley, in the county of Lancaster, Esquire.

On the 5th of August, 1696, the Feoffees were

⁹⁰ The Right Honorable George Earl of Warrington.

⁹¹ Richard Legh, of Lyme, Esquire, only surviving son and heir of the Rev. Thomas Legh, D. D. Rector of Sephton and Walton, in the county of Lancaster, by Lettice, daughter and co-heiress of Sir George Calveley, Knight, of Lea. He married Elizabeth, daughter of Thomas Chickley, of Wimpole, in the county of Cambridge, and left ten children.

⁹² Of the ancient family of Ashton of Ashton. When the Shuttleworth property was acquired I have not been able certainly to determine.

⁹³ Of this worthy individual, who was the son of Robert Holt, Esquire, by Dorothy, his second wife, daughter of John Bullock, of Derley, in the county of Derby, Esquire, and the last of the Holts of Castleton, little need be said further than by transcribing the classical epitaph on the monument erected to his memory, on the south side of the altar of Rochdale Church.

M. S.

Jacobi Holte de Castleton Arm. et Dorotheæ Filix Tho. Grantham de Goltho, in Agro Lincolnensi Arm. Uxoris carissimæ.

Ipsæ Oxoniæ educatus et Coll: CEn: Nas: cooptatus socius, literis tum humanis tum divinis non mediocriter imbutus, pietate et amœno ingenio eruditionem ornavit, Regi subditus semper fidelissimus, Ecclesiæ Ang. assertor strenuus, cujus quicquid sanctissime mandat sedulus observator, fanaticorum indocti gregis quicquid delirant contemptor summus. Vir ad antiquæ probitatis, fidei ac pietatis normam factus, pietatem coluit sine fuco, scientiam sine fastu, prudentiam sine asperitate, justiciam sine rigore, sui tantum rigidus Censor. Illa Dei timens, viri amans, familiæ prospiciens, summa prudentiâ res omnes administravit, filias quas septem peperit, piè ac prudenter eduxit, moribus optimis suisque simillimis imbuens, exemplo direxit magis quam præceptis. Uterque pietate in Deum, comitate in Amicos, hospitalitate in omnes, charitate in egenos insignes; ut pauperum ille pater, illa mater haberetur, pueros ille, illa puellas proprio sumptu curaverunt educandos. Ne tantarum virtutum memoriam indigna premerit oblivio, quatuor filiæ superstites, in æternam memoriam Marmora hæc æquis sumptibus posuere.

Natus Octobri A.D. MDCXLVII.

Obiit VII.º Idus Jan. A.D. MDCCXII.

Illæ nata XV.º Call. Majas, A.D. MDCLVIII.

Obiit III.º Nonas Martias, A.D. MDCCXVIII.

⁹⁴ See No. 83.

⁹⁵ Second son of the preceding Richard Legh, Esquire, and Sheriff of the county in 1683 and 1684.

⁹⁶ Son and heir of No. 51.

⁹⁹ Son of the first Earl, Henry, by Mary, daughter of Sir James Langham, and born on the 2d

- ¹⁰⁰ Sir Ralph Ashton, of Middleton, Baronet.
- ¹⁰¹ Sir John Ardern, of Harden, Knight.
- ¹⁰² James Holt, of Castleton, Esquire.
- ¹⁰³ Thomas Legh, of Lyme, Esquire.
- ¹⁰⁴ James Lightbourne, of Moston, Esquire.
- ¹⁰⁵ William Hulme, of Davy-Hulme, Esquire.
- ¹⁰⁶ James Chetham, of Turton, Esquire.
- ¹⁰⁷ Joshua Horton, of Chadderton, Esquire.
- ¹⁰⁸ Henry Hulton, of Hulton, Esquire.
- ¹⁰⁹ John Ardern, of Harden, Esquire.

On the 5th of August, 1706:

- ¹¹⁰ The Right Honorable George Earl of Warrington.
- ¹¹¹ Sir Ralph Ashton, of Middleton, Baronet.
- ¹¹² Peter Legh, of Lyme, Esquire.
- ¹¹³ James Holt, of Castleton, Esquire.
- ¹¹⁴ Henry Hulton, of Hulton, Esquire.
- ¹¹⁵ Samuel Chetham, of Turton, Esquire.

of May, 1675. He was Author of "Considerations on the Institution of Marriage." Lond. 1739, and of "A Letter to the Writer of the 'Present State of the Republic of Letters,'" in 1734, in which he vindicates his father from some reflections cast upon him by Burnet, in his History of his own Times.—He married Mary, eldest daughter and co-heiress of John Oldbury, a London Merchant, by whom he left an only daughter, married to the grandfather of the present Earl of Stamford and Warrington, and died on the 2nd of August, 1758.

¹⁰⁵ Son and heir of No. 84.—He was Sheriff of Lancashire in the year 1701, 13th of William and Mary.

¹⁰⁶ Vide No. 98.—He was born in 1641, and married a daughter of Sir Samuel Sleigh, Knight, and was father of No. 115. He died in the year 1697.

¹⁰⁷ Joshua Horton, of Chadderton, Esquire, one of his Majesty's Justices of the Peace for the county, was the son of Joshua Horton, of Sowerby, Esquire, by Martha, daughter and heiress of Thomas Binns, of Rushforth, Esquire. He died 15th December, 1708.

¹⁰⁸ Second son and heir of No. 83.

¹⁰⁹ Eldest son and heir of Sir John Ardern, No. 82 ;—He left, by Anne, daughter of Sir John Ingleby, of Ripley Castle, in the county of York, Baronet, three daughters, who all died unmarried.—Mr. Ardern died in 1703, and was buried at Stockport.

¹¹² Eldest son of Richard Legh, Esquire.

¹¹⁵ Eldest son and heir of No. 98—born 1675, and died March 20, 1744, s. p. He served the office of Sheriff of the county in 1738.

¹¹⁶ Peter Egerton, of Shaw, Esquire.

¹¹⁷ William Hulme, of Davy-Hulme, Esquire.

¹¹⁸ Joshua Horton, of Chadderton, Esquire.

¹¹⁹ John Atherton, of Bewsey, Esquire.

August 7th, 1716 :

¹²⁰ The Right Honorable George Earl of Warrington.

¹²¹ Peter Legh, of Lyme, Esquire.

¹²² Henry Hulton, of Hulton, Esquire.

¹²³ Samuel Chetham, of Turton, Esquire.

¹²⁴ Richard Ardern, of Stockport, in the county of Chester, Esquire.

¹²⁵ William Ashton, of Prestwich, in the county of Lancaster, Clerk.

¹²⁶ Alexander Radcliffe, of Foxdenton, in the county of Lancaster, Esquire.

¹²⁷ John Warren, of Stockport, in the county of Chester, Esquire.

August 8th, 1726 :

¹²⁸ The Right Honorable George Earl of Warrington.

¹¹⁶ Of the family of Egerton of Egerton, in the county of Chester. He served the office of Sheriff for the county of Lancaster in 1703, 2nd Queen Anne.

¹²³ See No. 115 and 135.

¹²⁴ Third son, and at length heir, of Sir John Ardern, Knight. He was educated at Brazen-Nose College, in the University of Oxford, and took his degree of Master of Arts, on the 15th of March, 1695. He married Anna Maria, daughter of Edward Bigland, Esquire, M.P. for the county of Nottingham, by whom he had seven children. Mr. Ardern died at Harden in 1752, and was buried at Stockport.

¹²⁵ Rev. William Ashton, B.D. Rector of Prestwich. He left two daughters, co-heiresses, one married to Sir Darcy Lever, Knight, and the other to John, second son of Jonathan Blackburne, Esq. of Warrington.

¹²⁶ In the first year of the reign of Henry the 7th, Robert Radcliffe, second son of Alexander Radcliffe, of Ordsall, Esquire, acquired the manor and lands of Foxdenton, jure uxoris, by marriage with Elizabeth, daughter of Richard Radcliffe, Esquire, of Chadderton. This property, by regular descent, became the inheritance of Alexander, Esquire, the Feoffee of 1716.

¹²⁷ Eldest son and heir of Edward Warren, Esquire, of Stockport, by Dorothy, daughter and heiress of John Talbot, of Salisbury, Esquire, one of the last remaining descendants of this noble and ancient family, was born in July, 1679, and died s. p. in 1729. His nephew, Sir George Warren, K. B. of Poynton, died in 1801, leaving an only child, Elizabeth Harriett, Viscountess Bulkeley, who died very lately.

¹²⁹ The Right Honorable James Earl of Barrymore, of the Kingdom of Ireland.

¹³⁰ Sir John Bland, of Kippax, in the county of York, Baronet.

¹³¹ Sir Ralph Ashton, of Middleton, in the county of Lancaster, Baronet.

¹³² Holland Egerton, of Heaton, in the county of Lancaster, Esquire.

¹³³ Peter Legh, of Lyme, in the county of Chester, Esquire.

¹³⁴ Henry Hulton, of Hulton, Esquire.

¹³⁵ Samuel Chetham, of Castleton, in the county of Lancaster, Esquire.

¹³⁶ Richard Ardern, of Stockport, Esquire.

¹³⁷ William Ashton, of Prestwich, Clerk.

¹³⁸ Alexander Radcliffe, of Foxdenton, Esquire.

¹³⁹ John Warren, of Stockport, Esquire.

¹²⁹ This Nobleman was fourth Earl of Barrymore, and born in the year 1667. He served as Lieut.-Colonel in King William's army, in 1688; was appointed Major-General in 1708, in which capacity he was taken prisoner by the Spaniards at Campo Maior; and Lieut.-General in 1710. He was Member of Parliament for the boroughs of Wigan and Stockbridge, and sworn of the Privy Council in 1713. He married, 1stly, Elizabeth, daughter of Charles Lord Clifford, and sister of Charles Earl of Cork, and had issue Charlotte, who died in 1708, and Anne, who married James Maule, Esq.—2dly, Elizabeth, daughter and sole heiress of Richard Savage, Earl Rivers, and had by her Penelope, who married Major-General James Cholmondeley, son of George, second Earl Cholmondeley,—and, 3rdly, Ann Chichester, youngest daughter of Arthur, third Earl of Donegal, and had issue by her James, fifth Earl, and five other children.—His Lordship died 5th of January, 1747, and was succeeded by James, his eldest son.

¹³⁰ Second son and heir of Sir Francis Bland, Baronet, by Jane, daughter of Sir William Lowther. He married Ann, daughter and heir of Sir Edward Mosley, of Hulme, by Meriel, daughter of Richard Saltonstall, Esquire, of Halifax. He had several children.

¹³¹ The last of the male line of the ancient house of Assheton, of Middleton. In the year 1716 he succeeded his uncle, Sir Ralph Assheton, Baronet, in title and estate. In 1734 he married Mary, eldest daughter of Sir Holland Egerton, Baronet, of Heaton, who died, leaving no issue, in the year 1735. In 1739 he married Eleanor, daughter of the Rev. John Copley, Rector of Thornhill, in the county of York, and relict of Henry Hulton, of Hulton Park, Esq. in the county of Lancaster, by whom he had issue one son, who died in 1756, in the 12th year of his age, and two daughters, Mary and Eleanor;—the former married Harbord Harbord, Esquire, afterwards Lord Suffield, son and heir of Sir William Morden Harbord, K.B. and Baronet, of Gunton, in the county of Norfolk;—the latter married Sir Thomas Egerton, Baronet, afterwards Earl of Wilton, of Heaton, in the county of Lancaster.—He died on the 31st of December, 1765, aged 73. He was Sheriff of the county in the year 1739.

¹³² Afterwards Sir Holland Egerton, Baronet, eldest son and heir of Sir John Egerton, of Wriuehill, in the county of Stafford, third Baronet, by Anne, daughter and sole heiress of Francis Wolferstan, of Statfold, in the county of Stafford, Esquire:—He was a Gentleman of fine accomplishments and

May, 1733:

- ¹⁴⁰ The Right Honorable George Earl of Warrington.
- ¹⁴¹ The Right Honorable James Earl of Barrymore.
- ¹⁴² Sir John Bland, Baronet.
- ¹⁴³ Sir Ralph Ashton, Baronet.
- ¹⁴⁴ Peter Legh, Esquire.
- ¹⁴⁵ Henry Hulton, Esquire.
- ¹⁴⁶ Samuel Chetham, Esquire.
- ¹⁴⁷ Richard Ardern, Esquire.
- ¹⁴⁸ James Chetham, of Smedley, in the county of Lancaster, Esquire.
- ¹⁴⁹ Robert Radcliffe, of Foxdenton, in the county of Lancaster, Esquire.
- ¹⁵⁰ Robert Booth, of Salford, in the county of Lancaster, Esquire.
- ¹⁵¹ James Banks, of Bury, in the county of Lancaster, Clerk.

In the years 1738, 1739, and 1741 the same.

June 2d, 1743:

- ¹⁵² Right Hon. James Lord Strange, *vice* Sir John Bland, Baronet.

excellent parts, well versed in the various departments of literature, particularly heraldry and antiquities;—of a free, open, and communicative disposition, and exceedingly beloved and esteemed in the county.—He married, in 1712, Eleanor, daughter of Sir Roger Cave, of Stanford, in the county of Northampton, by whom he had six sons and two daughters.—Sir Holland died at Heaton, in this county, April 25, 1730.

¹⁴⁸ He served the office of Sheriff for the county in 1730, 4th George 2nd, and died about the year 1781.

¹⁴⁹ Eldest son and heir of No. 138—Sheriff of Lancashire in the year 1744, 18th George 2nd.

¹⁵⁰ Descendant of No. 66.

¹⁵¹ Third son of William Banks, Esquire, of Winstanley, in the county of Lancaster, by Frances, sole daughter of Peter Legh, of Bruch, (of the Lyme family) in the county of Lancaster. He died in 1743.

¹⁵² This Nobleman was the eldest son and heir of Edward Stanley, eleventh Earl of Derby, (the first Earl of the Bickersteth line,) by Elizabeth, only daughter and heir of Robert Hesketh, of Rufford, in the county of Lancaster, Esquire, by Elizabeth, daughter of William Spencer, Esquire, third son of William Lord Spencer, ancestor of the Duke of Marlborough.

James Lord Stanley, on his father's accession to the Earldom, took the title of Lord Strange, which the eldest sons of the preceding Earls always bore, not being apprized that the Barony of Strange, as a Barony in fee, was the right of the heir-general, the Duke of Athol.—He was born on the 7th of January, 1717, and received his education at Westminster School, and in the University

¹⁵³ Sir Edward Egerton, Baronet, *vice* Henry Hulton, Esquire.

¹⁵⁴ Rev. John Parker, of Brightmet, Clk. *vice* The Rev. James Banks.

July 25, 1749 :

¹⁵⁵ John Ardern, of Harden, Esq. *vice* Richard Ardern, Esq.

of Leyden.—Soon after his coming of age he was elected Knight of the Shire for the county of Lancaster, which he constantly represented till his death, and was a most useful and active Member of Parliament, being constant in his attendance and a man of business. During the course of many years, he took no employment under any Ministry, but at length accepted the Chancellorship of the Duchy of Lancaster, receiving nothing more than the fair income attached to the office, which was very inconsiderable, and refusing the lucrative pension usually annexed. The Estates of the Duchy, which had long been abused and misapplied, and had hardly ever paid its expenses, he contrived so to improve, as to make them produce to the Crown several thousands per annum.

When his father resigned the offices of Lord Lieutenant and Custos Rotulorum of Lancashire, he was appointed his successor ; and on the 16th of December was sworn of his Majesty's most Honorable Privy Council.—His Lordship was also Colonel of the County Militia.

He married Lucy, youngest daughter and co-heir of Hugh Smith, Esquire, of Weald Hall, in the county of Essex, and by her had two sons, Edward, who succeeded to the Earldom, and Thomas, M. P. for Lancaster.

“ In his private capacity, Lord Strange was a most dutiful son, an affectionate brother, a kind husband, a sincere friend, and a man of strict integrity ;—being of an excellent nature, and even of a tender one, though outwardly he had often what some might call a bluntness in his carriage, but without ill-manners ;—which, though it might originally arise from warmth of temper, he perhaps rather affected ; at least he could controul it, when propriety to himself and others really required. He was indeed of an intrepid spirit, and steady to his purpose, when he had once determined, being neither to be awed nor flattered, in any manner, from it. With all this (which may seem a contradiction) he had a great mixture of indolence, especially in his latter days ; so that when he had nothing to urge him to exert himself, he would spend much time upon his couch in reading books of amusement : though no one made better use of those of a severer and more useful sort, when occasion induced him to apply them ; for his apprehension was quick, and his judgment excellent.

“ His favourite amusement was hunting, and when the season for that revolved, no one was more active and indefatigable, or rode more boldly than he did. In society he was cheerful and entertaining ; loving, however, amongst his friends, to dispute, and even for the sake of it, to take up the wrong side of a question. But this, and such like parts of his character, were only like shades in a good picture, that set off the brighter colours, and which it would not be so well without.”

¹⁵³ Fifth Baronet, and successor of Sir Holland. He died unmarried, in March, 1744, the year after his appointment.

¹⁵⁴ Son of John Parker, of Brightmete, Esquire, who was Sheriff of Lancashire in the year 1732. This family is now represented by Colonel Thomas Parker, of the Royal Cheshire Militia, who resides at Astle, in Cheshire.

¹⁵⁵ John Ardern, of Harden, Esquire, second son of the foregoing Richard Ardern, Esquire, was born in April, 1709 ;—he married Sarah, daughter of Cuthbert Pepper, of Pepper Hall, in the county

¹⁵⁶ Robert Gwyllim, of Atherton, Esq. *vice* Earl of Barrymore.

¹⁵⁷ Edward Greaves, of Culcheth, Esq. *vice* Robert Radcliffe, Esq.

¹⁵⁸ Miles Lonsdale, of Bury, Esq. *vice* Samuel Chetham, Esq.

August 8, 1751 :

¹⁵⁹ Sir Thomas Grey Egerton, of Heaton, Bart. *vice* Sir Edwd. Egerton, Bart.

¹⁶⁰ Peter Legh, of Lyme, Esq. *vice* Peter Legh, Esq. his Uncle.

October 2, 1781 :

¹⁶¹ Robert Radcliffe, of Foxdenton, Esq. *vice* Earl of Warrington.

¹⁶² John Haughton, of Baguley, Esq. *vice* The Lord Strange.

¹⁶³ William Banks, of Winstanley, Esq. *vice* Sir Ralph Ashton, Bart.

¹⁶⁴ William Egerton, of Tatton Park, Esq. *vice* James Chetham, Esq.

¹⁶⁵ John Ardern, of Harden, jun. Esq. *vice* Robert Booth, Esq.

of York, Esquire, sister and heiress of Prescott Pepper, Esquire, of the same place ;—by whom he had a large family, his eighth child being Richard Pepper Ardern, Lord Alvanley. He was High Sheriff of Cheshire in 1760, and died in 1786, and was buried at Stockport.

¹⁵⁷ This Gentleman married a daughter of Sir Darcy Lever, of Alkrington, Knight, by whom he had one son, Edward Greaves, Esquire, Sheriff of the county in 1812, and several daughters.

¹⁵⁹ Sixth Baronet.—He married Catherine, daughter of the Rev. Mr. Copley, Rector of Thornhill and Wakefield, in Yorkshire, by whom he had two sons, Thomas, late Earl of Wilton, and John, who died young.

¹⁶⁰ Second son of Thomas Legh, Esquire, before-mentioned.—He died in 1792, without male issue.

¹⁶¹ Son and heir of No. 149.

¹⁶³ Eldest son and heir of William Banks, of Wigan, Esquire, by Elizabeth, daughter of Amos Meredith, Esquire, and sister and co-heir of Sir William Meredith, of Henbury, in the county of Chester, Bart. and M.P.—He was High Sheriff of Lancashire in 1784.

¹⁶⁴ Only son and heir of William Tatton, of Withenshaw, Esquire, by Hester, sister, and finally sole heiress, of John Egerton, of Tatton Park, Esquire. He was born in 1749, and was several years Member of Parliament for the county of Chester. He was four times married, 1st, to Frances Maria, daughter of the Rev. John Fountayne, D.D. Dean of York, by whom he had two sons and one daughter. 2ndly, Mary, daughter of Richard Wilbraham Bootle, of Rode and Lathom, Esquire, by whom he had two sons and one daughter. 3rdly, Anna Maria, daughter of Sir George Armytage, of Kirklees, in the county of York, Baronet, by whom he had one son, who died an infant ;—and, 4thly, Charlotte Clara, daughter of Thomas Watkinson Payler, Esquire, of Hedon, in the county of Kent, by whom he had no issue.—Mr. Egerton died in the year 1802.

¹⁶⁵ Eldest son and heir of No. 155. He died unmarried, in 1816.

¹⁶⁶ Charles Ford, of Manchester, Esq. *vice* Miles Lonsdale, Esq.

October, 1785 :

¹⁶⁷ Joseph Pickford, of Milns Bridge, Esq. *vice* Robert V. A. Gwyllim, Esq.

¹⁶⁶ Of an ancient and highly respectable family, resident at Ford Green, in Norton-le-Moors, since the reign of Henry the 2nd.—This gentleman was the second son and heir of John Ford, Esq. of Eaton in Astbury, in the county of Chester, by Anne, daughter and co-heiress of Charles Everard, of Somerford Booths, Esquire. He died in 1789, and was buried in St. Mary's Church, Manchester, having married Anne, sole issue, by the first marriage, of Thomas Johnson, of Tyldesley, in the county of Lancaster, Esquire.

¹⁶⁷ Eldest son and heir of Joseph Pickford, of Alt-Hill, in the county of Lancaster, Esquire, by Mary, only surviving daughter of William Radclyffe, Esquire, of Milnes-Bridge House, in the county of York. Sir Joseph, born in May, 1744, was for some time resident, in right of his first wife, at Royston, in the county of Lancaster, but, in 1795, succeeded his maternal uncle, Colonel William Radclyffe, in his residence and estates at Milnes-Bridge, and elsewhere, in the county of York; and, in compliance with a clause contained in the last will and testament of his said uncle, took the surname and arms of Radclyffe only, by virtue of the King's royal sign manual, bearing date 19th December of that year. He, for several years, was a most loyal and active Magistrate for the counties of Lancaster, Chester, and Derby, and the West Riding of the county of York, and Deputy Lieutenant of the said West Riding: in which characters he so highly distinguished himself by his determined resolution to discharge the arduous duties of his situation, in defiance of all the dangers that threatened him, that the general interest in his favour called loudly for some eminent mark of the Royal approbation.

The following correspondence between that patriotic and accomplished Nobleman, the then Lord Lieutenant of the West Riding, and his Majesty's Ministers, on the occasion, will best explain the foundation upon which his Baronetcy was erected.

Milton, December 15, 1812.

DEAR SIR,

Nothing can be so honourable to an individual as when the public voice calls for some mark of consideration being bestowed upon him. I have reason for thinking that the disturbed parts of the cloathing district feel so strongly impressed with the sense of your indefatigable and unremitted exertions as a magistrate, the risks and dangers you have, and are now braving, with undaunted fortitude, in the service of your country, for the discovery of the disturbers of its tranquillity, that it is the earnest wish of the most respectable gentlemen that an honorable mark of the royal approbation should be conferred upon you; such an one as is suitable to the independent fortune you possess, and the high consideration you enjoy among your neighbours. Allow me to ask, would a Baronetage be acceptable? And I must go further, and still put another question: Would it be acceptable to you to receive it on the recommendation, and at the solicitation, of his Majesty's lieutenant, stating the meritorious services (so ample a field for description) as the ground on which he makes his request. I feel the necessity of being explicit, because, circumstanced as I am with the administration, I can ask, as an individual, no favour; nor can I assume that you would receive one at my hands but as an officer of the Crown. I feel myself justly entitled to recommend, for public reward, those who, in the department committed to my superintendence and care, render

¹⁶⁸ Rev. Thomas Aynscough, of Royton, M.A. *vice* Edw. Greaves, Esq.

indisputable and essential service, on emergencies of the most trying and alarming nature. I have but one word to add, which is to assure you, that it will be most gratifying to me to receive permission to proceed in the business : being with sincere esteem,

Very truly your's,

WENTWORTH FITZWILLIAM.

Joseph Radcliffe, Esq.

Whitehall, September 18, 1813.

SIR,

I have the honour of communicating to you the gracious intention of his Royal Highness the Prince Regent forthwith to confer upon you the dignity of a Baronet of the United Kingdom. It is with great satisfaction that I convey to you such a testimony of the opinion entertained by his Royal Highness of that loyal, zealous, and intrepid conduct which you have invariably displayed, at a period when the West Riding of the county of York presented a disgraceful scene of outrage and plunder ; and by which, in the discharge of your duty as a Magistrate, you contributed most materially to re-establish in that quarter, tranquillity and obedience to the laws, and to restore security to the lives and property of his Majesty's subjects.

I have the honour to be, Sir,

Your most obedient and faithful Servant,

SIDMOUTH.

Joseph Radcliffe, Esq.

Wentworth, September 22, 1813.

DEAR SIR,

This morning's post brought a letter from Lord Sidmouth to announce the pleasing communication of the Regent's intention to confer on you the dignity of a Baronetage, " in consideration of your exemplary, useful exertions as a Magistrate in the West Riding, at a period of the utmost difficulty, alarm, and danger." Though Lord Sidmouth says, in his letter, that he shall make the communication to you, I cannot refrain from troubling you with these few lines, to express how truly I consider the dignity to have been earned by the service performed ; how much I think it for the public interest necessary that exertions of the nature should not pass unnoticed by Government ; but that, on the other hand, they ought to be held up, as in this instance they now are, as examples for similar exertions in similar emergencies : and, lastly, to add, that a measure more acceptable to the West Riding could not have been adopted, than this acknowledgment (so it will be considered) on the part of Government of the eminent service rendered by your exemplary firmness and exertions.

I am, my dear Sir,

Most truly yours,

WENTWORTH FITZWILLIAM.

Joseph Radcliffe, Esq.

The Patent for the Baronetage accordingly issued on the 2nd of November, 1813, with remainder to his heirs male.

Sir Joseph married, 1st, Catherine, daughter of Thomas Percival, Esq. of Royston, in the county of Lancaster, and by her had an only son, Sir William, who succeeded him ;—2ndly, Elizabeth,

¹⁶⁹ Samuel Clowes, of Broughton, Esq. *vice* Robert Radcliffe, Esq.

1790 :

¹⁷⁰ William Hulton, of Hulton, Esq. *vice* John Arden, Esq.

1794 :

¹⁷¹ John Entwisle, of Foxholes, Esq. *vice* John Haughton, Esq.

¹⁷² Rev. Thos. C. Johnson, Rector of Wilmslow, *vice* Rev. Thos. Aynscough.

1804, October 2nd :

¹⁷³ Samuel Clowes, of Broughton, Esq. *vice* William Banks, Esq.

daughter and sole heir of Richard Sunderland, of High Sunderland, in the county of York, Esq. by whom he had eight children ;—and, 3rdly, Elizabeth, youngest daughter of Richard Creswick, late of Sheffield, Esq. by whom he had no issue.

Sir Joseph was one of the few remaining examples of old English hospitality, and lived in the respect, esteem, and friendship of the neighbouring nobility and gentry, and the love of his numerous tenantry ; in him were blended all the virtues that adorn the character of a man in public and private life ; no less distinguished by the most amiable affections of the heart, than a stern hostility to the slightest deviation from truth and plain dealing ; he was equally zealous and intrepid in the cause of loyalty and social order, having, at the imminent hazard of his life, and the destruction of his property, rendered the most essential services to the state, by his prompt exertions as a Magistrate, during a period of local insubordination, danger, and alarm, in the year 1812. The Sovereign acknowledged his merit by creating him a Baronet, with the singular favour of a gratuitous patent.

He died February 19, 1819, and was succeeded by his eldest son, Sir William.

¹⁶⁹ Eldest son and heir of Samuel Clowes, Esq. by Rachael, daughter of Captain Leigh, of West Hall.—He married a daughter of John Tipping, of Manchester, Esq.—This gentleman was a Captain in the Lancashire Militia, in 1778, and a direct descendant and representative of the family of Chetham, being grandson of Samuel Clowes, of Chaddock, Esq. by Mary, daughter of Edward Chetham, Esq. of Manchester, and sister and co-heiress of Edward Chetham, of Manchester, Esq. Barrister-at-Law, and afterwards of Moston, Castleton, and Turton, in 1755 ; and of Smedley in 1760. He died in 1804.—Mr. Clowes resided at Chorlton, before he removed to Broughton Hall, and was Sheriff of the county in the year 1777, 17th George 3rd.

¹⁷⁰ He was Sheriff of the county in the year 1789.

¹⁷¹ Sheriff of Lancashire, 1798, 39th George 3rd.

¹⁷² L.L.B., presented to the Rectory of Wilmslow, on the 16th April, 1787. He was also a Fellow of Christ's College, in Manchester. He died 30th January, 1814, aged 53.

¹⁷³ Eldest son and heir of No. 169. He served the office of Sheriff of the county in 1809, and died in 1812.

1812, October 6th :

¹⁷⁴ William Fox, of Manchester, Esq. *vice* William Egerton, Esq.

1816, October 1st :

¹⁷⁵ Thos. W. Tatton, of Withenshaw, Esq. *vice* Rev. Croxton Johnson.

The following gentlemen form the present list of the Feoffees of the Free Grammar School :

The Rev. Thomas Foxley, Rector of Radcliffe.....	5 Oct. 1790.
Sir Robert Holt Leigh, Bart. Leigh Place, near Wigan.....	7 Oct. 1794.
Colonel Thomas Parker, of Astle	2 Oct. 1804.
John Ford, of Abbey-Field, Esquire.....	2 Oct. 1804.
Rev. George Heron, of Daresbury.....	2 Oct. 1804.
Rev. John Clowes, M.A. Fellow of Christ's College, Manchester	1 Oct. 1811.
Wilbraham Egerton, Esq. M.P. Tatton Park.....	1 Oct. 1816.
William Hulton, of Hulton Park, Esq.....	5 Oct. 1819.
Lieut.-General Heron.....	5 Oct. 1819.
Right Hon. the Earl of Wilton, Heaton House.....	7 Oct. 1823.
Right Hon. the Earl of Stamford and Warrington, Dunham Park	2 Oct. 1827.
William Legh Clowes, Esq.....	2 Oct. 1827.

OF THE HIGH MASTERS.

The High Masters are appointed by the President of Corpus Christi College, Oxford, and have been most frequently chosen from the Colleges of that University.

In 1519—Thomas Pleasington was the first High Master, appointed by the Founder, with a salary of £10. per annum.

William Hind,
James Plumtree,
Richard Bradshaigh,
Thomas Wrench,
William Jackson.

} Of these Gentlemen nothing is
now known, either from the School
Records, or from the various College
Registers of the Universities.

1546—Edward Pendleton, Gram. Bac.^a

William Terrill.

James Batison.

Richard Raynton.

1575—Thomas Cogan, M. B.^b

1588—The annuity of £4. “to the Clerke or Master of Manchester Scole,” now first entered in the Duchy Records.

Edward Chetham, M. A.^c

^a The following memorandum is taken from Wood’s *Fasti Oxonienses*: “Edward Pendleton, the famous Schoolmaster of Manchester, in Lancashire, was admitted to the reading of any book of the faculty of grammar, that is, to the degree of Bachelor of Grammar; but the day or month when, is not set down in the public registers, now very much neglected.”—Anno 1547.

^b Dr. Cogan was born at Chard, in the county of Somerset, and was educated in the University of Oxford. He took his degree of Bachelor of Arts on the 14th of January, 1562, and, in the course of the following year, was elected Fellow of Oriel College. On the 5th of July, 1566, he proceeded Master of Arts, and, on the 31st of March, 1574, he took the degree of Bachelor of Physic. In 1575 he was appointed High Master, and on the 8th of October resigned his Fellowship at Oriel. Dr. Cogan practised in his profession of physic very successfully, and attended to the duties of the school with regularity and closeness.—He has written “The Haven of Health, made for the comfort of Students, and, consequently, for all those that have a care of their health, &c.” Lond. 1586, 4to. again in 1589, 1605, and 1612.—“A Preservative from the Pestilence, with a short censure of the late sickness at Oxford.” Printed with the former.—“*Epistolarum familiarum Ciceronis Epitome, secundum tria genera libro secundo Epist. 3 proposita.*” Cantabr. 1602, 8vo.—“*Epistolæ item aliæ familiares Ciceronis ad tria causarum genera, demonstrativum, deliberativum, et judiciale, redactæ.*”—And “*Orationis aliquot faciliores Ciceronis, in eadem tria genera Rhetoribus usitata, dispositæ.*”

He died at Manchester, in 1607, and was buried on the 10th of June, leaving behind him the character of an able Physician and Latinist, a good neighbour, and an honest man.

The following entry, from the Register of Oriel College, shews that his affection towards his society was not diminished by his having ceased to be one of its members.

“Octob. 11^{mo}.—Anno a partu Virginis 1595.—Opera omnia Galeni quinque voluminibus novissime compactis, umbilicatis, et catenis appendentibus:—Item, Anatomiam Gemini, et Mathioli in Dioscor. Comment. novis pariter integumentis et umbonibus communita, et catenis alligata ex dono ornatisimi Viri Mri. Thomæ Cogan, olim hujus Collegii socii, summo cum consensu Præpositi et Societatis in bibliotheca recepta sunt et reposita: parique omnium assensu remissum ei est et condonatum 40s. debitum quo collegio tenebatur, adeoque in testimonium gratitudinis decretum est chirothecis donaretur, quod et factum est die et anno supradictis.”

These books are all in Oriel Library at this time, in their original bindings.

^c Eldest son and heir of James Chetham, Gentleman, by Katherine his wife, and brother of Henry Chetham, the father of Humphry the Founder. He died without issue, and was buried in the Parish Church of Manchester, 21st January, 1604.

Edward Clayton.

John Rowland, M. A. discharged 1630.^d

1630—Thomas Harrison, appointed by the Feoffees on the dismissal of Rowland.

1637—Robert Simmonds.

1638—Ralph Brideoake, D. D. died in 1678.^e

^d This Gentleman was of Oxford University, and a Fellow of Corpus Christi College. By the following curious letter, preserved among the School papers, it appears that he was also Chaplain to the Earl of Manchester, and that for absence or some misconduct he had been discharged.

“ WORTHY GENTLEMEN,

“ My love remembered : I hope you consider y^t I forsook my place at C. C. C. Oxen. for Manchester Schole, being informed before I came y^t it was worth £100. p. annum, but you well know y^t I had but £20. p. ann. for y^e great pains I tooke in soe great a Schole, for y^t it cost me allmost as much more mony out of my own purse. I had very near time to be a Dr. of Divinity in y^e University, and therefore thought it a disgrace to me to live soe, yet I went away with y^e consent of y^e Feoffees y^t lived near y^e towne, soe I left a sufficient Deputy in my place. I left my own brother, whome the Towne approved of under their hands (and I doubt not but they will again) both for his life and learning, and therefore my request unto you is, y^t you would not let me lose my right, since I have comitted noe offence, worthy of expulsion, only with your leave I have endeavoured to promote myself better. S^r. Cecill Trafford gave me leave also, yet since upon some dislike of my brother hath turned him out, giving me noe warning, which if I had been his servant I might require a quarter before. If my brother have justly offended S^r. Cecill or any of the Feoffees, he shall confess his fault and amend. Yet I know well the Founder gives the Feoffees noe power either to put the high M^r. out or in. If you will do me any favour my L^d. of Manchester, whose houshold Chaplain I have been allmost ever since I parted from you, shall send you thanks, who is a well wisher to y^e towne, and sent them lately by M^r. Boardman, a brace of bucks, as a token of his love. If y^e towne desire any thing at his hands, I will at your requests prefer it to him, who hath promised to doe what good for you he may. Only he wondreth, y^t I, being his servant, you should use me so discourteously, since he sent his letter by me unto you all, which S^r. Cecill received.—M^r. Harrison may yet return to his place at Oxen safely, and then I shall require noe more for y^e time he hath held the Schole, but £4. for last year, given by the King to y^e High M., if upon your accounts you shall find it due unto me. I pray be not offended, if I make triall to recover my Schole by law, if I cannot regain it by love. Thus not doubting of your good will toward me, I rest,

Yours to be commanded,

JOHN ROWLAND,

London, October 5, 1630.

S. M. Gymnasiarcha.

To y^e worpful Mr. Hide, Mr. Ratcliffe, Mr. Tipping, Mr. Stanley, Mr. Booth, or either of them, Feoffees of the Free Schole of Manchester.

^e See No. 79, in the chapter on the Feoffees, page 88.

Nehemiah Painter, buried 5th November, 1648.

1652—John Wickes, M.A. of C.C.C. Oxon, 27th Feb. 1661, B.D. 1670.

1675—William Barrow, M.A. of C.C.C. June 1, 1676—died 4th May, 1721. Held the office about 45 years.^f

1720—Thomas Colborn, M.A. of C.C.C. 23rd March, 1707.

1722—John Richards, M.A. of C.C.C. 17th March, 1721.—Salary £60. per annum.^g

^f In 1685 there were three Masters—the High Master, Second Master, and Pett Master. At this period the salary of the first was £60. per annum, that of the second £28., and that of the Pett Master £12.

There were also gratuities, which were after the following scale :—

1685—	To the High Master	£5.	—	Second Master	£1. 10s.
1686—	.....	£10.	—	.....	£2 0
1687—	.....	£10.	—	.....	£2 0
1690—	Gratuities £20. to all.				

“About the year 1690 there was a great quarrel between the Master and Scholars of the Grammar School. The boys locked themselves in the school, and were supplied by the town’s-people with victuals and beds, which were put in at the windows. They even got fire arms and ammunition, with which they fired at the legs of those who attempted to get in.—This rebellion continued a fortnight, somewhat to the disgrace of those who should have maintained better discipline.”

AIKIN’S MANCHESTER, p. 185.

^g This gentleman was a native of Exeter, and was elected Scholar of Corpus Christi College, Oxford, on the 7th of February, 1714, where he took his degrees of Bachelor and Master of Arts, and was nominated to the High Mastership on the 23d of April, 1722, on the resignation of Mr. Colborn.—The following nomination is the earliest I have been able to meet with.

“Reverendis Sociis Collegiæ Ecclesiæ Mancuniensis, in comitatu Lancastr., vel cuicunque hanc meam Nominationem, Electionem, et Presentationem admittendi Jus et Potestatem habenti, vel habituro, cum honore Salutem.

“Vobis notum facimus, quod cum locus sive munus Superioris Magistri in Scholâ Mancuniensi ex fundatione Reverendi in Christo Patris, ac D.ⁿⁱ, D. Hugonis Oldham olim Episcopi Exon. per resignationem Thomæ Colborn, nuper superioris Magistri vacaverit ; ac nominatio, Electio et Presentatio Magistri ad dictam Scholam ad Presidem Collegii Corporis Christi in Universitate Oxon. pro tempore existente ex dispositione dicti Episcopi pertinuit et pertinet.

“Ego Joannes Mather, Preses Collegii predicti, nominavi ac elegi, et, per presentes, nomino, eligo, et vobis presento dilectum mihi in Christo Joannem Richards A. M. in Magistrum Superiorem Scholæ Mancuniensis predictæ, obnixè petens et rogans quatenus eundem Joannem Richards ad titulam jus et emolumenta quæcumque ad officium dictæ Scholæ Mancuniensis spectantia admittere dignemini, cæteraque omnia et singula facere et perimplere, quæ de Jure aut consuetudine in hac parte fieri solent et debent. In cujus rei testimonium præsentibus sigillum meum apposui et subscripsi vicesimo tertio, die Aprilis, Anno Georgii Mag. Britan. Franciæ et Hiberniæ, Regis, Fidei Defensoris, &c. Octavo, Annoque Dni 1722.

(L. S.) JOHANNES MATHER,
Pres. C. C. C.”

1727—Henry Brooke, M. A. of Oriel College, Oxford, 30th April, 1720, grandson of the Rev. William Brooke, of Manchester, Clerk, and Elizabeth his wife, daughter of Mr. Jordan Chadwick, of Healey Hall, in the county of Lancaster. Appointed 17th September, 1727. In consequence of the disapprobation of the Feoffees, and his great neglect of the school duties, this gentleman's salary was reduced from £200. per annum to the original endowment of £10.—In 1744 he published a speech, on the usefulness and necessity of studying the Classic Writers, which is dedicated to the Rev. Warden Peploe and the Feoffees of the Grammar School. This tract is exceedingly rare; it is, therefore, thought worthy of being re-printed in this place.^h

^h “To the Rev. Mr. Peploe, Warden of Christ's College, Visitor; and the Feoffees of the Free Grammar School in Manchester.

Since I am entrusted with the care of this school, and am accountable for the management of it, and hope to receive all due encouragement to attend the duty of, and perform the business which the charter requires in it, I think myself obliged for your satisfaction and that of the publick, to acquaint you in what manner I intend to proceed, and what method I shall pursue, in order to obtain the good ends proposed by the Founder in erecting this school.

As the statutes in the charter relating to Religion are Popish throughout, and therefore ought not to be observed; I shall use my discretion in this respect, till I receive some better direction from that authority which has a right to give it. In the mean time I shall read, as I have done hitherto, some of the most suitable parts of the Common Prayer, both morning and evening every school-day, and use my best endeavours, at proper times, to instil into the minds of the youth all such duties, especially upon which the honour of God and the happiness of mankind chiefly depend.

And as to Learning, since the common method has produced very excellent scholars, and in a reasonable time, and with tolerable application; I shall adhere to this, till some better is recommended, which has not hitherto been discovered, not barely construing and explaining the Classics, but leading the youth by degrees in their Compositions to the imitation of them, a point highly necessary, without which all others will signify but little.

With regard to attendance, though I was absent some years ago, upon necessary business, and when I had thoughts of quitting the school, and put in a substitute, as I was informed, with the consent and to the satisfaction of all parties concerned; yet now being at free liberty, I shall keep close to the school and the business thereof in person, as I have done for near three years last past, desiring nothing more than the benefit and improvement thereof.

Whether my labours be effectual and I make good the obligations I lie under to the school, I desire you will judge and determine, either by your own knowledge of the scholars we make, or by the characters they bear, and the success they meet with in the Universities, the best if not the only sufficient proof in this case, regarding not so much what may be or has been said, as what you find is actually performed,

By, Gentlemen,

Your most obedient

And humble Servant,

HENRY BROOKE.

GENTLEMEN !

Considering the occasion of our present meeting together, the character in which I appear, the charge with which I am entrusted, and the audience before whom I speak, it may not be improper to enquire concerning the reasons, or rather the necessity of employing so much time and pains as we commonly do in teaching and studying the learned Languages, especially Latin and Greek ; that it may be discovered, whether such practice be an essential part of Education, or deserves that encouragement which is allotted for it, or really answers those good ends which are expected from it.

That the Piety and Charity of many well-disposed persons have prompted them to contribute largely to this work, to erect foundations for the more effectual furtherance of it, and to provide all means proper for accomplishing the ends proposed by it ; and that publick authority has not been wanting to countenance such undertakings ; and many worthy persons, some even of the first rank, have condescended to the care and protection of them, is well known to all who have had the happiness of a publick education ; which considerations, without doubt, are a great commendation to our Grammar Schools, and the learning that is taught therein ; since they imply, that both are calculated for such purposes as are worthy the particular esteem and regard of persons well qualified to judge of what is most laudable and useful : Yet it may be worth while to enquire, upon what principles they have proceeded, upon what bottom this design stands, and what benefits the Publick and private persons may hope to receive from it.

That proper places and persons should be set apart for the Education of youth, to introduce them to, and train them up in such knowledge, as otherwise they cannot attain, and is necessary to their own and the publick welfare ; this is confessed by the concurrent practice of all, especially the most polite Nations of the world, and is what common Reason, the exigencies of Nature, the business of the World, and the happiness of Mankind evidently require : But this is not the subject of our present enquiry. I choose rather to consider, what may be alleged for, or against, that particular method of instruction, which does at this time, and has for above two hundred years last past, prevailed in this nation, that we may be able to make a right judgment concerning it.

And that such an enquiry may not seem impertinent, it may, and ought to be observed, that for want of such disquisitions, several Nations (not excepting our own) in times past, and probably far the greatest part of the World at present, have preferred such methods of publick instruction, as instead of being useful, and attaining those ends, for which they ought to have been instituted, have been highly inconvenient, inconsistent with the constitution of human nature, and quite contrary to those means which tend to the real improvement of it.

Whether this be our case will appear upon producing the method established amongst us, with the reasons that may be offered for, and the objections that may be urged against it. After teaching the rudiments of grammar, the several parts of speech, and the respective properties, or what is peculiar to each of them, and the construction, or due joining of them together, so as to make compleat sentences, we proceed to what is commonly called the learned languages, especially Latin and Greek, by reading and explaining in each of them, such Authors, as are justly esteemed the most perfect, and in such order as is most suitable to the capacity and improvement of the learners, or those that are taught by us.

Now as to Grammar, this is so necessary, that no language can be well understood without it ; for in every language there is, and must be, a Grammar, either subsisting therein, and supporting the whole fabrick, and adjusting the economy and order of it ; or extracted from it, and formed into a distinct system, containing the principles of, and the several parts belonging to it. Without the

knowledge of one or the other of these, we cannot be masters of any language ; because they are essential to, and therefore cannot be separated from it. Persons, especially of an inferior rank, may speak a language indeed, without understanding the grammar of it, as common workmen help to build houses, without being skilled in the Science of Architecture ; yet as far forth as they speak the language properly, so far they must be acquainted with the grammatical part of it.

We must distinguish between living and dead languages, or such as are at present in common use, being generally spoken by the Inhabitants of this, or that country ; and such as being out of common use, are not spoken in any country, but subsist only in books written in those languages ; of this last sort are the Latin and Greek tongues. Now since such cannot be learnt by the ear, or by hearing others speak them, it is necessary to extract Systems of Grammar out of each of them, in order the better to understand them. Accordingly you know we have such Systems provided for us, and these we learn, though with much pains and expence of time, because the languages to which they respectively belong cannot be attained without them. By this remark, I think we may answer an objection against the learning these Systems of Grammar ; an objection made by such as do not consider the difference between a living and a dead language. They ask, why are youth enslaved to the drudgery of getting by heart, such a number of Grammar Rules, when they can learn French with much more ease, and in less time without them ? To which the answer is this,—One is a living and the other are dead languages ; and what is needless in the former is necessary in the latter.

But supposing the learning these Grammars is requisite, in order to understand the Latin and Greek tongues : What occasion is there for these dead languages ? Is it not sufficient to be well skilled in our own tongue, since business of all kinds is transacted therein, and this may be learned without the other, having no immediate relation to, or dependance thereupon ? Is not the language of every country sufficient for the inhabitants thereof, excepting such as are concerned in Embassies, and the management of matters with foreign states, which are very few, or next to none, in comparison of the people ? Are not all our laws and publick writings, and every thing else of moment, in our own language ? May not therefore the time that is spent, and the pains that are taken by youth, in learning the Grammars of the Latin and Greek tongues, and afterwards the tongues themselves, be more usefully employed, in learning the liberal Arts and Sciences, the principles of business, and other matters of more immediate concern and benefit to them ? Especially considering that not only the substance of, but also all improvements and discoveries that have been made in Philosophy, and all other parts of learning are now brought down to our own language, and fairly, and to good advantage represented in it. In answer to which questions, it may be observed in the first place, that granting all this, yet as the Charter of our Religion and the Works of the Fathers, and other writers concerning it, which are necessary to be studied, to clear the sense, support the authority, and assert the truth of it against all opposition ; as these Writings, which are of the utmost weight and importance, are compiled in the Greek and Latin tongues, the study of them is, and must be, necessary on that account. But this being the business more especially of a particular order of men, it may be more proper to observe,

In the second place, that notwithstanding the sufficiency of our language, and the writings therein, supposing them as considerable as they can justly pretend to be ; yet there are other treasures in the Latin and Greek tongues, which are not to be found in ours, treasures of various kinds and of eminent value, which when discovered and possessed by us, will well reward all the time and pains we bestow, in opening a way to them ; and which would be more commonly known, but that we often stop short, before we come to a right sense and a full possession of them.

The thoughts, indeed, which occur in the Classics may be expressed in ours, or any other language

that deserves any esteem ; but in what manner ?—Nothing like that wherein they appear in the originals ; the spirit evaporates, the strength decays, the beauty fades, when it is thus removed into a worse climate. As the temper of our soil wants heat to quicken, force to invigorate, and generous juices to bring to perfection those plants and flowers, which of themselves thrive and flourish in countries that approach nearer the sun ; so the Genius of our language is too much straitened, and too languid to admit of those brighter ornaments, which seem to be the natural produce of the Classic writings.

Herein you have perfect pieces in all sorts of composition ; perfect as far as human wit can reach, and perfect in every view, and in every instance ; so that there is scarce any thing wanting that can render them more complete. They are, in an eminent sense, originals, being the very pictures of nature in her finest array, her greatest glory ; and therefore are deservedly proposed for our imitation : and as long as we aspire after this likeness, we shall appear in a suitable dress, and attract the eyes, and engage the attention, and raise the admiration of others, in proportion to the nearer advances we make to this standard. The sentiments they exhibit to us upon any subject, are such as seem to arise naturally without any force or the use of art, like fruits of the earth from seed that is sown in it ; and the expression in which it is clothed is so well adapted, that nature itself in the spring season, scarce produces its gifts in more lively, suitable, and beautiful colours. No wonder then, that the study of the Classics is so highly recommended and so generally practised ; and no wonder that our language and writings, though much improved, cannot reach to this height.

Without doubt we have several excellent compositions in our own tongue, compositions that may well be esteemed Classical in comparison of those that were written in former ages. Yet they are not to be equalled, in the opinion of their greatest admirers, to the works of the Greeks and Romans, that are placed in the first rank, for want of those embellishments, and that natural purity, strength, harmony, and simplicity of language, for which these are highly distinguished. We have already made a considerable progress, and may probably in time to come advance further : yet I fear whatever wits may arise, we shall still shine with a borrowed light in respect of these ancient Worthies, on account of our Northern extraction, and that original ill stamen and unsoundness, which is inseparable from the English language. But nothing, I think is a greater commendation of the Classics, and shews the usefulness and excellency of them better, than to reflect upon the signal advantages we have received from them, within a century or two last past. Before the Reformation, when Classical learning was disused, our language was rough and void of every grace ; our thoughts uncouth and unrefined, and a total gloom overspread the whole Nation ; but soon after, when the differences and troubles of that time were composed, Grammar Schools being erected to open the eyes of the next generation, and shew them the errors of the Church of Rome, the Classics were called out of darkness and set at liberty. Upon which men soon thought more justly, spoke more properly, and wrote more accurately. By studying these finished writings they entered into a spacious, open field, which enlarged their prospect, and gave them new thoughts, and almost a new language ; so that the knowledge we have of composition, and the improvements that have been made in the English tongue, both which are very considerable, are owing, you see, to the study of the Classics, which without any thing more, is enough to justify the use of them, and not only to justify, but highly recommend it.

Of late, I think, for a considerable time, we have been at a stand in the literary progress, being content with those acquisitions, and to subsist on that stock, which our forefathers provided for us. Since liberty, the prize for which we contended, seems secured past all danger, and Popery, the enemy that roused our spirits, and provoked our indignation, is confined at a due distance, and cannot hurt us, we have laid down our arms ; being satisfied with those conquests, which the Classical studies

1749—William Purnall, M. A. of Oriel College, Oxford—July 6, 1728. Mr. Purnall was educated at Oriel College, Oxford, where he took his degree of Bachelor of Arts on the 23rd of May, 1723, and that of Master on the 6th of July, 1728. He was nominated Second Master on the death of Mr. Wall, and High Master on the resignation of Mr. Brooke, on the 21st July, 1749.—He died on the 16th of April, 1764.¹

of our ancestors made for us. Though they left room enough for farther advancement, and our own compositions in point of sentiment and language, and the ornaments we give them, are far short of Classical perfection; yet for want of fresh provocation, our spirits subside, emulation is ceased, and the pursuit at an end. There is, therefore, sufficient reason for continuing under our old Masters, the Greek and Roman Classics, lest we lose that ground which we formerly gained; of which at present there is too much danger, considering the general relaxation, extravagance, and licentiousness, that oppose and endeavour to supplant the Classic Writers.

But were we arrived at a Classical pitch, in delicacy of thought and expression, and every other excellence of good writing and speaking; yet it would be necessary to continue the use and study of the Classics, because if we ever desert these Masters, who have hitherto taught us so well, we shall dwindle by degrees into the same barbarity and ignorance, from which they delivered us, after the Reformation; and from which nothing preserves us at present, but the Bible and Common Prayer, which being in constant and common use, help to keep our language where it is, and the knowledge of the Classics, which teaches us to approve and adhere to what is valuable therein, and to maintain the ground upon which we stand.

Now, have the Classics such beauties and excellencies as are not to be found in our language? Are the best modern writings only distant copies of these great originals? Are there treasures therein which are never to be exhausted, and though they may be imitated, yet can scarce be equalled? And have they been of such service in time past? and they yet continue of eminent advantage to us? I conceive the questions above, concerning the necessity of the Classics, are fully answered, and instead of rejecting these useful Authors, we should treat them with due respect, study them with proper care, and imitate them with the greatest exactness, and encourage others to do the same; to which useful exercise, as it is my particular duty, I shall make it my chief business, to contribute all the assistance, which my abilities can provide, which I hope will be satisfactory to those, to whom I am accountable herein."

He likewise wrote a Latin Work, entitled "*Medicus Circumforaneus*;" an "*Essay on Peaceableness*;" and also "*The Quack Doctor*; a poem originally spoken at the School, with notes critical and explanatory." 4to. 1745.

He was also a Fellow of the Collegiate Church. He resigned his office of High Master in 1749, on being presented to the Rectory of Tortworth, in the county of Gloucester, where he acted as a Magistrate for several years. He died in 1757, and was buried in Tortworth Church.

"In memory of the Rev. Henry Brooke, formerly Fellow of Oriel College, Oxford, and late Rector of this Parish, and Fellow of Manchester College. He died August 21, 1757, aged 63."

He left a small Library for the use of his successors, Rectors of Tortworth.

¹ He founded a Free School at Newton Chapel, of which the following Indenture is the endowment.



Eng^d by J. Thomson.

THOMAS WILSON, ESQ.,
*High Master of the Free Grammar School,
 Worcester 1799,*

THE FIRST CHURCH, WORCESTER, 1799.

The first & very interesting edition

of the first & very interesting edition

of the first & very interesting edition

1764—Charles Lawson, M. A.—He was elected Scholar of Corpus Christi College on the 7th of February, 1748, and resigned on the 18th of August, 1749, in consequence of having been elected Second Master in July preceding. On the death of Mr. Purnell in 1764, he succeeded to the High Mastership on the 21st of April; having previously received from the University the degree of Master of Arts in 1753.^k

“By Indenture, bearing date 4th of October, between John Markland and John Whitaker, executors of the will of William Purnall, deceased, of the one part, and Edward Greaves, Esq. Edmund Newton, John Bell, Thomas Battersbee, and Edward Hudson, of the other part, reciting, that the said William Purnall by will, bearing date 15th September, 1763, after several bequests therein specified, had demised the residue of his personal estate to his said executors, to be by them disposed of in such charitable use or uses as they should think proper, and desired them, in the disposal of such residue, to have a particular regard to the Infirmary in Manchester, and the endowment of the school in the Chapelry of Newton, in the parish of Manchester, and to take care that the officiating Minister of the Chapel of Newton should not, in any degree, be benefited thereby: And reciting that the said John Markland and John Whitaker, being desirous to fulfil the intention of the said testator, had determined to apply the sum of £200. towards the endowment of the school in the Chapelry of Newton. It was witnessed, that for the purposes aforesaid, the said John Markland and John Whitaker assigned to the said parties of the second part the sum of £200., in trust, that they, or the survivors of them, being three in number, should, in their discretion, put forth at interest the sum of £200., and apply the interest thereof, from time to time, in their discretion, towards the endowment of the school in the said Chapelry: And that the schoolmaster for the time being should, without fee or reward, instruct in writing, reading, and accounts, a number of poor boys or girls, living within the said Chapelry, not exceeding fifteen, who should be chosen by the Trustees under their hands in writing; and if the said schoolmaster should either neglect to teach such children to the content of the said Trustees, or should in any other respect behave himself as to merit censure of them, they might retain all or any part of the interest of the said sum, and either convert the same into capital, or afterwards apply the same to the same uses as the proceeds of the said £200. And in such manner as they should think fit, and the conduct of the present or any future master should induce them to. And it was provided, that when the Trustees should be reduced to three, the survivors should forthwith elect so many new Trustees as, with them, should make up the number five: And that an assignment of the said sum of £200. should be made accordingly upon the same trusts; and a power was given to the same Trustees to lay out the trust money on mortgage or bond, or in the public funds, or otherwise to increase the money in such manner as they should think fit.

^k The following address, spoken on his entry into office, gives a fair estimate of the advantages and disadvantages attendant upon a public Education.

GENTLEMEN,

The important duty which I have, perhaps, too rashly, undertaken to discharge, the gratitude which, in consequence thereof, I owe to the memory of our munificent Founder, and the hopes of future success in this undertaking, which can only be secured to me by your approbation and favour, will not permit me to be silent on this occasion.

The necessity of Education, in general, is a point which few, I am persuaded, of my present audience will dispute. Youth is the proper time for instruction, it is, as it were, the seed-time of life, and he that neglects this favourable season, can entertain but small hopes of a future harvest. And it were well if unfruitfulness were the only ill consequence of so fatal a neglect; but, alas! there are others still behind, and those as much more dreadful than the former, as a vicious man is more pernicious to society than one who coldly observes a sort of medium betwixt vice and virtue; for there are, perhaps, but few of these inspired beings in the world, and the generality of mankind are apt, though not openly, yet really, to espouse the interests of one or the other, the danger therefore is lest, through want of a proper culture, noisome weeds, which are but too deeply implanted in our nature, should shoot up, and possess themselves of that soil which, by a due cultivation, might have been rendered productive of the most useful and agreeable fruits; but, perhaps, I insist too long on a point almost universally agreed upon.

The necessity, I say, of Education is what most men are convinced of, but there is not the same harmony of opinions with regard to the method of it. Some prefer a public, others a private one; it is not my design fully to discuss this point, or peremptorily to determine this dispute in favour of either side: I shall only endeavour to answer an objection or two that have been made to Public Schools, and to point out some excellencies which they can boast of as peculiar to themselves.

It has been asserted that the Education of Youth at a Public School endangers their virtue: that the corruption of morals prevalent there will subvert the soundest principles that children are capable of imbibing, as antidotes of those disorders:—a charge this, which, were it as weighty in reality, as it is formidable in appearance, would create in every good man a horror for these dangerous seminaries. For it were a most unpardonable fondness for the acquisitions of science, to set a greater value upon them than upon virtue, and thus basely truck this inestimable jewel for accomplishments, which, unattended with it, are too frequently only considerable as they are pernicious to society. But we hope the case is far otherwise. That virtue indeed is endangered here may be safely granted, (for in what state can it boast an exemption from danger) but that it has greater difficulties to encounter than in a private method of education seems a disputable point.

For it may, upon experience, be found no less difficult to preserve children from the contagion of vicious servants at home, than from that of loose companions abroad. Amidst the promiscuous concourse of youth to these public seminaries, it is scarce possible but that some bad examples will intrude themselves. These, 'tis true, are to be dreaded, but not to be esteemed unavoidable. The care of the teacher, together with that of the parents, (for there is the strictest necessity for their united endeavours, both in this and all other respects) may, we presume, prove a sufficient barrier against this evil. The whole therefore of this objection seems to amount to little more than this, that the public education of children is attended with some danger to their virtue, and this is certainly no more than what may reasonably be affirmed likewise of a private one.

Another objection to Public Schools has been that the number of youth, which the teachers have under their care, renders them incapable of paying sufficient attention to each individual: that children, however different in age, temper, or capacity, receive the same instruction, and those too enforced by the same undistinguishing rigour and severity;—'tis true, indeed, the method of instruction used in these public institutions cannot be fitted to every genius, nor can the general plan, which is necessary to be followed in them, be so formed as to suit every particular capacity: yet the discretion of the master, will direct him to accommodate his precepts to the age of the pupils, and to adapt his method of enforcing them to their different tempers and dispositions. But let us admit that they are defective in this respect, are we then so little acquainted with the nature of all human

establishments, as to reject them because they fall short of perfection? And shall we for this single defect, foolishly give up our institution, which has been not only approved, but also warmly patronised, by the greatest and wisest men of all ages; and which, by the peculiar advantages which it possesses seems to merit our regard preferably to any other?

“One of the greatest of these advantages is Emulation, or a desire of excelling. That children are not destitute of this powerful incentive is very certain: the sparks of this ardour are latent in their breasts, and they can be no where so effectually kindled into a flame as in a public school: 'Tis here, and not in the privacy of a domestic education, that this principle displays itself in full force, and urges the generous mind to the utmost exertion of all its faculties:—What hopes may we not entertain of a youth inspired by this active flame? What heights can we conceive him incapable of attaining? Add to this, that companions in study not only improve our faculties, but likewise give us a just notion of them: whereas he that is unfurnished with a rule whereby to judge of his own abilities, will be in danger of falling, either into an unreasonable diffidence, or an unreasonable vanity.

“A public school is likewise the best preparative for business. Were we born only to speculate idly, to project plans and indulge the airy pleasures of contemplation, a private education might not incapacitate us for these employments; but we are designed to act as well as to think, and a youth spent in privacy and retirement has too often been found an obstacle to appearing afterwards to advantage in the busier scenes of life:—Whereas, in these public seminaries, we by degrees shake off that unmanly weakness with which the ill-judged fondness of parents is apt to enervate the mind, contract an early acquaintance with the world, and acquire a habit of thinking and acting for ourselves, which, if afterwards duly improved, will render us capable of being serviceable to our country and our friends.

“This slight view of some of the advantages arising from a public education, may lead us to admire the wisdom of such of our ancestors as have established foundations for this end: Men, who lived not in the shade and retirement, but in the most illustrious scenes of public life; who served their country in the highest offices of church and state, and were therefore, we may reasonably presume, highly sensible of the advantages which these public institutions might be of, in order to qualify others for these great employments. Not that I would be understood to assert that it was chiefly with a view to this particular, that our munificent benefactor established this ample foundation: No! his piety undoubtedly, and his generous love for his country, were the principal motives that induced him to it: He was sensible that numbers of unhappy youth must, for want of such an establishment, languish all their days in ignorance and obscurity, and that many, instead of being useful members of society, would become its most dangerous enemies. To remedy this inconvenience, and, by preventing the mischief arising from a bad education, to give birth to the many singular advantages which flow from a good one, was a generous and laudable undertaking; an undertaking, not less beneficial to his country than glorious to himself; and which, by the lasting benefits which it naturally conveys, cannot fail of rendering him the object of gratitude to all succeeding ages.

“Let it be our care, therefore, as it will certainly be our honour, to promote the pious designs of our benefactor, and to shew our grateful sense of the favour we have received from him, by contributing our endeavours to render his bounty as beneficial as possible. This is a duty more particularly incumbent on us, to whose care the instruction of youth is committed: An office none of the least difficult in society, but for our comfort, not the least beneficial to it. To assert myself equal indeed to this task, were the highest degree of presumption and vanity; but I hope I may, consistently with modesty, assure my audience that I shall endeavour to make up, by industry and application, what I want in years and experience. When I reflect upon the difficulty of the function which I have undertaken, I am discouraged by that sudden damp which o'ercasts my hopes; but when the assistance, which I hope for from my worthy associate, and the approbation and favour of good men,

1807.—Jeremiah Smith, D.D. of Corpus Christi College, Oxford, elected on the 6th of May, 1807, the present High Master, under whose able and judicious management the School preserves the reputation, which it has so long and so deservedly enjoyed.

The present Second Master is the Rev. Robinson Elsdale, M. A. of the same College, whose high classical and mathematical acquirements eminently fit him for his arduous and responsible office; and whose University testimonials, on accepting the appointment, and letters of acknowledgment from various individuals whose children he has instructed, are in the highest degree satisfactory and honourable.

(which we flatter ourselves will attend our united endeavours) occur to my mind, these gloomy apprehensions vanish, and I can scarce forbear indulging the pleasing thought of contributing my mite to restore this once famous seminary to its former flourishing condition:—It is true the success of this undertaking must be, primarily, owing to the great Disposer of all events, but, in subordination to the first cause, we hope the favour of this assembly will contribute not a little to give a happy issue to our labours.”

After filling the High Master's chair during a period of more than forty-three years, with the greatest credit to himself and advantage to his pupils, many of which became shining luminaries of the Pulpit, Bar, and Senate, he died on the 19th of April, 1807, in the 79th year of his age.

Mr. Lawson uniformly displayed a dignity and propriety of conduct, and a fixed principle of action, that could not fail to conciliate the esteem and affection of his pupils, and the warm admiration of his fellow-townsmen. The extensive literary abilities which he possessed were of a higher class than are usually met with even in the most distinguished of our preceptors; and the depth and assiduity, with which he constantly pursued his erudite researches, rendered him eminently qualified for that station wherein he was so judiciously placed.

His grateful pupils, sensible of his merits, and of what they owed to his attentions, erected to his memory, in the Collegiate Church, a beautiful mural monument, designed and executed by Bacon, with the following inscription, commemorative of his excellences and virtues.

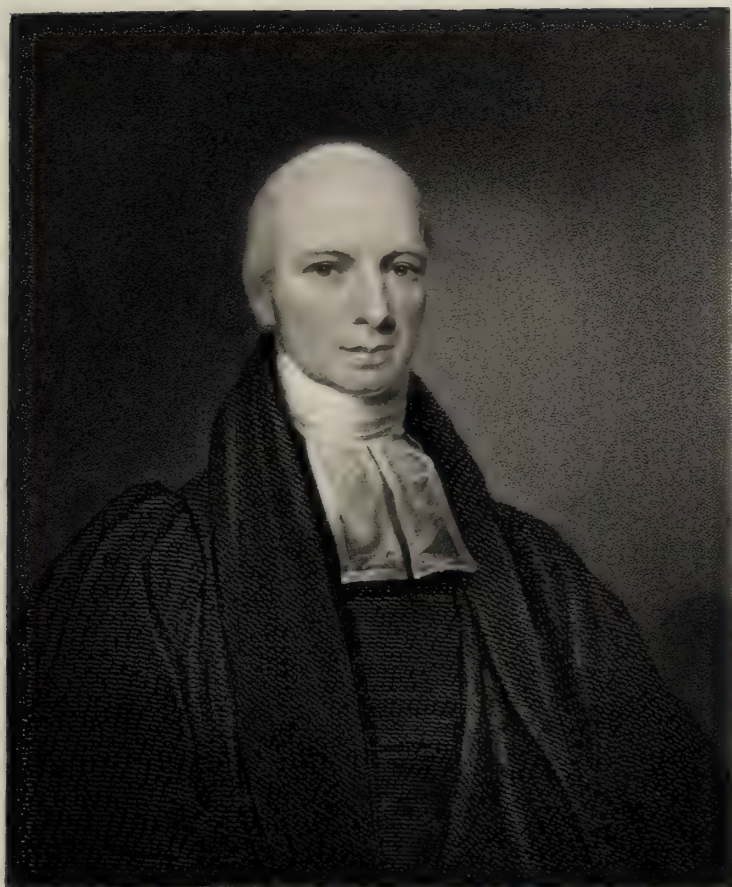
M. S.

Caroli Lawson, A. M. et Scholæ Mancuniensis Archididascali, Inter eos qui Græcæ Romanæque linguæ elementa feliciter edocuerunt, locum nulli secundum, jure optimo sibi vindicantis. Ille nimirum fuit ejus labor indefessus atque ea disciplinæ ratio, ut neq. ingenii splendor ad altiora properantis, neq. tarditas quæ literarum omnia respuit, prohibere possent quò minus singularem suam ἀρετήν in discipulos transfunderet. Ea quoque fuit in fungendo munere religio, ut neque gravissimi negotii curæ, nec recreationis illecebræ, indoli sanè facili et facetæ perquam gratæ, a Gymnasio suo dilecto eum abstrahere valuerint; sed per annos 58 morbo quanquam cruciatus et senectute fractus, Alumnorum nihilominus profectui usque ad extremum spiritum invigilavit. Si nulla ingenii monumenta literis mandaverit, varia tamen et laboris et eruditionis suæ documenta videas in Foro, Senatu, Ecclesiâ. Cui parebant pueri, quem colebant juvenes, quem diligebant amici, ejusdem memoriam hoc reverentiæ monumento prosequuntur Superstites Alumni. Obiit die Aprilis 19, A.D. M,DCCCVII. Ætat. 79.

In 1792 there were five Masters.—The salary of the High Master was £200. per annum; that of the Under Master £100. Two Assistants £50. each, and an English Master £40.

In 1804, the salary of the High Master was £240., of the Second Master £120., and that of the three others £80. each.

For the salaries of the present Masters see the account of Annual Expenditure.



Engraved by Woolnoth, from a Miniature by G. Hargreaves.

JEREMIAH SMITH, D.D.

*High Master of the Free Grammar School
and Rector of St. Peter Church & Manchester.*

To John Hargreaves, Esquire,

Libert. Master of the free. Sch.

at the School of the Free Grammar School & Manchester.

Printed by J. Hargreaves, Manchester.

AMONG the distinguished characters who have been educated at Manchester School, may be enumerated the following.

JOHN BRADFORD, one of the most eminent Divines of the Protestant faith, who suffered Martyrdom for his religious opinions in the reign of Queen Mary. He was born in the former part of the reign of Henry the Eighth, at Manchester, where he was educated, and was afterwards in the employ of Sir John Harrington, Treasurer and Paymaster of the English forces in France. In consequence of some peculations in the Treasurer's offices, in which he either participated, or at which he connived, and the iniquity of which first struck him on hearing a sermon by Bishop Latimer on the subject of Restitution, he exchanged this profitable situation for the clerical profession, and entered himself a Student of Katherine Hall, about the month of August, 1548. He was chosen Fellow of Pembroke College, by the invitation of Bishop Ridley, then Master, and was ordained in 1550, and made one of the King's Chaplains. His ardent zeal against Popery soon rendered his situation very dangerous, and he was early marked out for destruction. On the 22nd of January, 1554, he was brought to trial before Gardner, Bishop of Winchester, and Bonner, Bishop of London, from which period he underwent a long continued series of perplexing examinations chiefly on theological questions, and was finally sent to Newgate, from whence he was removed to Smithfield, and burnt at the stake on the 1st of July, 1555.

WILLIAM GWYN, Principal of Brase-Nose College, Oxford.

REGINALD HEBER, M. A. second son of Thomas Heber, Esq. of Marton Hall, in Yorkshire, where he was born, September 4, 1718. From Manchester School he was entered a Commoner of Brase-Nose College, Oxford, March 4, 1747, and was chosen Fellow 15th November, 1753. In July, 1766, on the decease of his brother without issue male, the Vernon estates at Hodnet, in Shropshire, devolved upon him, as did also those in Yorkshire, in 1803, on the death of his brother's widow, Mrs. Heber, of Weston, in Northamptonshire. December 5th, 1766, he was inducted into the valuable living of Chelsea, which had been purchased for him, several years before,

by his brother and another kind friend; and, in 1770, he exchanged this living for Malpas, in Cheshire, where he built an excellent new rectorial house on a new site, commanding a most extensive view of Flintshire and Denbighshire, and some other counties.—He married, in April, 1773, Mary, third daughter and co-heiress of Martin Baylie, M. A. Rector of Kelsall and Wrentham, in Suffolk, who died in January following, leaving him an infant son, Richard Heber, Esq. M. A. of Brase-Nose College, and late M. P. for the University of Oxford. He married, secondly, in July, 1782, Mary, eldest daughter of Cuthbert Allanson, D. D. Rector of Wath, in the county of York, by whom he had Reginald Heber, D. D. a Commoner of Brase-Nose College, Oxford, Fellow of All Souls, Rector of Hodnet, and the late most excellent, pious, and lamented Bishop of Calcutta, who died in 1828, during a visitation of the Upper Provinces of India; Thomas Cuthbert Heber, M. A. Fellow of Brase-Nose College, who died in 1816, and one daughter, Mary.—Mr. Heber died on the 10th January, 1804.

ROBERT THYER, Librarian of the Chetham Library, and Editor of Butler's Remains and Milton's Works.

THOMAS, EARL of WILTON, seventh Baronet, of Heaton, created Baron Grey de Wilton, in the county of Hertford, 1784, and Viscount Grey de Wilton and Earl of Wilton, June 26, 1801. He died in 1814, and was buried at Prestwich, having had issue, by Eleanor, youngest daughter and co-heiress of Sir Ralph Assheton, Bart. of Middleton, Thomas Grey, Thomas Grey, Louisa, Frances, and Frances Mary, all of whom died infants, and leaving one daughter and heiress only, Eleanor, born 1770, and married at Lambeth, 1794, to the Right Honourable Robert, Earl Grosvenor, on whose second and third sons, and their issue, the Earldom is entailed, the Baronetcy reverting to the late John Egerton, of Egerton and Oulton Park, Esq.

GEORGE LLOYD, Esq. Barrister-at-Law, born 30th October, 1748, and died 12th October, 1804, second son of George Lloyd, Esq. F. R. S. of Hulme, and of Cartley, in the county of York, (eldest surviving child of Gamaliel Lloyd, Esq. of Manchester, Merchant, by Elizabeth daughter of John Carter, of Manchester, M. B.) by his second wife, Susannah, daughter of Thomas Horton, of Chadderton, Esq.—He married Elizabeth, daughter of Jeremiah Naylor, Gentleman, and by her had George, Esq. of Acombe, near York, and Edward Jeremiah, Esq. Barrister-at-Law, of Oldfield Hall, near Altringham, in the county of Chester.

THOMAS PATTEN, D.D. Fellow of Corpus Christi College, Oxford, and afterwards Rector of Childrey, in Berkshire.

CYRIL JACKSON, D.D. Dean of Christ Church, Oxford, was the son of a respectable Surgeon and Apothecary, and born at Stamford, in the county of Lincoln, in the year 1742, and was educated at Christ Church College, Oxford;—Having been appointed Sub-preceptor to the Prince of Wales, (his present Majesty,) and by honourably filling that office, he opened to himself a speedy way to preferment, and was almost immediately raised to a Canonry of his College, which he enjoyed until promoted to the Deanery, on the removal of the Hon. Dr. Bagot to the Bishopric of Bristol, in 1783. On the death of Archbishop Newcome, the Primacy of Ireland was offered to him, which he refused, as well as the Bishopric of Oxford, and many other valuable honours.

Dr. Jackson resigned the Deanery of Christ Church in 1809, after maintaining the honours of his station, during a period of twenty-six years, with great dignity and propriety. He died at his favourite village of Felpham, in Sussex, 8th August, 1819, aged 77.

WILLIAM JACKSON, D.D. Lord Bishop of Oxford, brother of the foregoing, and born in 1750. He was chosen Student of Christ Church in 1768, and, while an Under-graduate, added to his early fame by receiving the Chancellor's prize for Latin verses. After obtaining the degrees of A.B. and A.M. he addicted himself to the study of Theology, and being intended, like his elder brother, for the Church, proceeded B.D.

The close friendship that had long subsisted between Dr. Markham, who had been lately translated from Chester to York, and his elder brother, proved not a little serviceable to his rising fortunes; for the Archbishop immediately extended his protection to him, and commenced by making him one of his own Chaplains. Three different preferments were accordingly conferred on him at three different periods,—a prebendal stall at Southwell, in 1780; another at York, in 1785; and the Rectory of Beeford, within the same diocese.

In the same year he was made Regius Professor of Greek, and soon after one of the Curators of the Clarendon Press. On the death of Dr. Moss, the Prince Regent, out of respect to his old Preceptor, tendered him the Bishopric of Oxford, and he was accordingly consecrated in 1811, but retained the dignity no longer than the short term of three years.

Like his brother Cyril, he had long been subject to nervous diseases; but soon after his elevation to the Mitre, he was attacked by one of a far more

serious kind, which at length put an end to his existence, on the 2nd of Dec. 1815, at the episcopal palace of Cuddesden, in Oxfordshire.

Dr. William Jackson was not only distinguished for his erudition, so far as the learned languages are supposed to convey that idea, but he was also well skilled in Mathematics. Both he and his brother endeavoured to render this a prevailing study at Oxford, that it might thus become, if possible, the rival of Cambridge in the glory derived from a skill in the sciences.—His Lordship's sermons were esteemed good compositions, and possessed the merit of being less learned, and consequently more plain and perspicuous, than those of the Dean of Christ Church. In short, he was a respectable Prelate, whose character and conduct contributed not a little to throw additional lustre on the dignitaries of the Anglican Church.

Sir NIGEL BOWYER GRESLEY, Bart. of Drakelow, Derbyshire.

Colonel STANLEY, M.P. for the county of Lancaster.

GEORGE TRAVIS, A.M. Archdeacon of Richmond.

WILLIAM EGERTON, Esq. M.P. of Tatton Park, Cheshire.—See Feoffees, No. 164.

RICHARD PEPPER ARDEN, Lord Alvanley, of Trinity College, Cambridge, where he took his degrees of Bachelor and Master of Arts, and became Fellow. Afterwards studying the law, he was called to the bar, attained a silk gown, and, in 1782, was appointed Solicitor General, and, in 1784, Attorney General and Chief Justice of Chester. In 1788 he succeeded Lord Kenyon in the office of Master of the Rolls, and was knighted at Whitehall on the 18th June. He sat in Parliament from 1782 to 1801, when he succeeded Lord Eldon as Lord Chief Justice of the Common Pleas, and, on that occasion, was elevated to the Peerage, assuming his title from his brother's estate, and was created Baron of Alvanley, in Cheshire, by patent, dated 22nd May, 1801.—He died 19th March, 1804, and was interred on the 26th, in the Rolls Chapel, Chancery-Lane.

THOMAS WHITE, M.D. of Manchester.

THOMAS BANCROFT, M.A. Vicar of Bolton.

JOHN WHITAKER, B.D. F.A.S. Rector of Ruan Lanyhorne, Cornwall, was born at Manchester, in 1735. He went Exhibitioner to Oxford, in 1752, and was entered of Brase-Nose College. On the 2nd March, 1753, he was elected a Scholar of Corpus Christi College, and took his degree of Bachelor of Arts, and in February, 1759, proceeded Master. He succeeded, in August, 1777, to the Rectory of Ruan, on the presentation of the President and Scholars of Corpus, and retained that living thirty years, until his death, in October, 1808.

He has written "The History of Manchester, in four Books."—"The genuine History of the Britons asserted."—"Case between Mr. Whitaker and Mr. Hughes."—"A Course of Sermons upon Death, Judgment, Heaven, and Hell."—"Mary, Queen of Scots, vindicated."—"Gibbon's History of the Decline and Fall of the Roman Empire reviewed."—"The Course of Hannibal over the Alps ascertained."—"The real Origin of Government."—and the "Life of St. Neot, the oldest of all the Brothers of King Alfred."

HOUSTON RADCLIFFE, D.D. Fellow of Brase-Nose College, Oxon.

THOMAS AINSCOUGH, M.A. of St. John's College, Cambridge.

Colonel JOHN DRINKWATER, Author of the "History of the Siege of Gibraltar."

THOMAS BRAITHWAITE, D.D. Fellow of Brase-Nose College, Oxford, Rector of Stepney, and Chaplain to Bishop Cleaver.

JOHN LATHAM, M.D. of London.

SAMUEL OGDEN, D.D. Woodwardian Professor of Geology in the University of Cambridge, was the son of Thomas Ogden, a dyer, of Manchester, and born in July, 1716.

He proceeded, after having received the rudiments of his early education in the Manchester School, in 1733, to the University of Cambridge, and was admitted a poor Scholar of King's College, whence he removed, on a Manchester exhibition, to St. John's, in August, 1736. He took his degree of A.B. in 1737, and that of Master in 1739, and was elected a Fellow of his College. He proceeded B.D. in 1748. After having received several minor appointments, he finally settled at Cambridge, where he was nominated Minister of St. Sepulchre's, and was created D.D.

He was appointed Woodwardian Professor of Geology, in 1764, and presented to the Rectory of Lawford, in Essex, which he held during his life.—He died 22nd March, 1778, in the sixty-second year of his age, and was buried in the chancel of his own Church.

Dr. Ogden was a singular and eccentric character. His manner of preaching, exactly adapted to his concise and pointed sentences, was strikingly impressive. It was his practice, in the opening of his discourses, and occasionally afterwards, to sink into something like negligence in his mode of delivery; by which artifice he gave an effect and energy to the sublimer and more pathetic parts, not to be fully described by those who *have* heard him, and not to be conceived by those who *have not*. In short, as a Preacher, he was an original, never yet safely imitated, and never safe to be imitated. As a Writer he was above all praise. Having formed his style with the purest taste, and on the best models, just before that tide of affectation and pedantry broke in, which has already half-barbarized our language, the construction of his sentences is simple and perspicuous; his choice of words curious and happy, yet often wrought up to the highest pitch of sublimity. He was one of those gifted orators who equally attract the learned and the illiterate, who are heard with the same admiration and delight in the pulpit of an University, or by a congregation of peasants. His sermons, published at Cambridge, in 1777, are the very best of their kind.

HENRY PORTER, M. A. Fellow and Tutor of Trinity College, Cambridge, and Vicar of Enfield.

FOSTER BOWER, Esq. Barrister-at-Law, Recorder of Chester.

JOHN CARR, B. D. Fellow and Tutor of St. John's College, Cambridge.

JOSEPH ALLEN, M. A. Prebendary of Westminster, late Fellow of Trinity College, Cambridge.

JAMES HAWORTH, M. D. formerly Radcliffe's Travelling Fellow.

JOHN PORTER, D. D. Lord Bishop of Clogher, was by birth an Englishman, and, having been educated at the University of Cambridge, became, first, a Fellow, and then Tutor, at Trinity College; where he took the degrees of A. B. 1773, A. M. 1776, and S. T. P. per literas regias, 1792. It was his good fortune

to have the Marquis Camden for a patron, who, having repaired to Ireland as Viceroy, nominated Dr. Porter one of his Chaplains. His first episcopal promotion was to the Bishopric of Killaloe, in 1795; and, in 1796, his Lordship was translated to the richer see of Clogher. He died intestate, July 27, 1819, and, in consequence of the sale of many beneficial leases, appertaining to his see, left an immense fortune behind him.

SIR DANIEL BAYLEY, Knight, Consul General in Russia.

JOHN B. S. MORRITT, Esq. of Rokeby Park, M. P. for Northallerton.

ASHURST TURNER GILBERT, D.D. Principal of Brase-Nose College, Oxford.

THOMAS WINSTANLEY, D.D. Principal of St. Alban Hall, Camden Professor of Ancient History, Laundean Professor of Arabic in the University of Oxford, and Prebendary of St. Paul's, London, was of Brase-Nose College, where he took his degrees, A. M. June 17, 1774; B. D. 6th December, 1798; and D. D. 11th December, of the same year. In 1771, he was presented to the living of St. Dunstan in the East; on the death of the learned and Rev. Thomas Warton, B.D. the Poet and Topographer, in 1790, he was elected Camden's Professor of History. In the same year he was presented to the living of Steyning. In 1794, he was collated to the Prebendal stall of Caddington, in St. Paul's Cathedral, and, on the 18th February, 1797, on the death of the Rev. Francis Randolph, D.D. was elected Principal of St. Alban Hall. In 1814, he received his nomination to the Chair of Arabic.

Dr. Winstanley was a most distinguished Scholar, and well versed in many of the modern languages. In 1780 he published, at the Clarendon Press, an edition of the Poetics of Aristotle, with a Latin version, various readings, an index and notes, which was a lecture book in the University, until the reading of the Classics accompanied with a Latin translation was discontinued. He was also Editor of the collected Works of Daniel Webb, Esq. a beautiful volume in 4to. ornamented with a capital engraving, from a design by Mr. Lock of Norbury, and now become a *Liber rarissimus*, in consequence of the destructive fire of February 8th, 1808.

FRODSHAM HODSON, D.D. Principal of Brase-Nose College, Oxon, Regius Professor of Divinity, and Canon of Christ Church. He published "The Eternal Filiation of the Son of God, asserted on the evidence of the Scriptures,

the consent of the Fathers of the three first centuries, and the authority of the Nicene Council." 8vo. 1796.

EDMUND OUTRAM, D.D. Chancellor of the Diocese of Lichfield and Coventry, Archdeacon of Derby, and Rector of St. Philip's, Birmingham;—formerly Fellow and Tutor of St. John's College, Cambridge, and Public Orator of that University.

JOSEPH HODGKINSON, B. D. Fellow and Tutor of Brase-Nose College, Oxford.

THOMAS CLAYTON, B. D. Fellow and Tutor of Brase-Nose College, Oxford, and Rector of Cottingham, Northamptonshire.

T. FALCONER, M. A. Fellow of Christ Church College, Oxford, and Bampton Lecturer.

Right Honourable DAVID LATOUCHE, Esq. M. P. for the City of Dublin. He died at St. Catherine's, near Dublin, 1st August, 1817, in the 88th year of his age. He was a member of his Majesty's Privy Council, and for forty years member of the Parliament of Ireland. Mr. Latouche was the senior partner of the great banking-house of Latouche and Co., long celebrated in every part of the British Empire for probity, honour, and solidity.

JOHN WILLIAMS, Esq. King's Counsel, M. P. for the city of Lincoln.

Right Honourable FREDERICK FORBES, son of the Earl of Granard.

JOHN DEANE, D. D. Principal of St. Mary Hall, Oxford.

CHARLES CHADWICK, Esq. F. A. S. of Healey, Ridware, Newhall, and Callor, second surviving son and heir of Col. Chadwick Sacheverall, of Healey Hall, &c. by Susannah, daughter of Robert Holt, of Shevington, Esq. and born 2nd October, 1753; educated by Mr. Lawson, removed in October, 1771, to Emanuel College, Cambridge, and placed under the learned Dr. Farmer, then Tutor; he became a Student of the Middle Temple, and was in the Commission of the Peace for the West Riding of Yorkshire, 1775, Deputy Lieutenant of the county of Lancaster, 1777, and L. L. B. 1778. In the Commission of the

Peace for Lancashire, 1785, and acting Magistrate, 1788.—In the Commission of the Peace for the county of Stafford, 1792, and Deputy Lieutenant, 1796—and elected Fellow of the Society of Antiquaries, 9th April, 1807.

PETER HERON, Esq. M.P. for Newton, Lancashire, and a Lieutenant-General of His Majesty's Forces.

Dr. WILLIAM ARNOLD, son of Richard Arnold, the celebrated divine and commentator on the Scriptures, and Fellow of St. John's College, by the favour and recommendation of Dr. Hurd, late Bishop of Worcester, became Sub-preceptor to the Prince of Wales and Duke of York, in 1776, and afterwards Canon of Windsor and Precentor of Lichfield.

He died in 1802, after having for twenty years been confined as a lunatic. He was much respected by his friends before this awful visitation, and they paid him every affectionate attention which his situation could admit. This gentleman was educated at Manchester School; and, in proof of his gratitude, left £50. to be laid out in books, for the use of the Senior Boys, part of which sum was expended by Mr. Lawson, and part by the present High Master, and the books so purchased form a valuable part of the School Library.

The proper business of the School begins and closes with prayers, which are read by one of the Senior boys, when all the Masters attend.

In summer the School is open from seven to half after eight;—from half after nine until twelve;—and from three until half after five:—In winter it commences half an hour later.

The afternoons of Tuesday, Thursday, and Saturday are holidays, and are devoted to Mathematics.—It was the custom for Tuesday afternoon not to be a holiday, unless some one petitioned for it, and gave either five shillings, or a book, for the School Library. And in this way the greater part of the books have been collected.

The vacations are five weeks at Christmas, and the same period at Midsummer.

The Eton Latin and Greek grammars are used; but the System of Education is not, in all respects, similar to that of Eton.

Dr. Smith's accommodations for Boarders are very extensive, but at present he receives only a limited number, upon the following terms :—

Entrance Fee, four guineas. Board and Tuition, in which Writing, Arithmetic, and Mathematics are included, fifty guineas per annum, until the Pupil enters into his sixteenth year, and sixty guineas afterwards. Washing, four guineas per annum. French, Drawing, Dancing, &c. on the usual terms.

Two Parlour Boarders may be accommodated,—for whose Board and Tuition 120 or 140 guineas each will be charged, according to the distinction of age stated above.

An Assistant Master resides constantly in the house, to give instructions in Writing, Accompts, and Mathematics on the Tuesday, Thursday, and Saturday afternoons, and to assist in the general superintendence of the Boarders.

A quarter's notice, or a quarter's payment, is required.

Mr. Elsdale also takes Pupils, at forty guineas per annum for boys under the age of fourteen years, and forty-five guineas after that period.

The great celebrity which this School has justly acquired has been owing not only to the splendour of the Foundation, but, in a still greater degree, to the talents and assiduity of the High Masters, in whom it has been singularly fortunate.

Plate I.



Drawn by E. Wyatt.

Engraved by C. Pye.

PORTRAIT OF HUMPHRY CLEEVE ESQ.
(The Founder)

To the Rev.^d John Lewis,
the nearest descendant



of Broughton Hall, W. I.
of the Founder.

This Portrait is respectfully inscribed by
his most obedient Servants.

Tho.^s Agnew & Jos.^h Zanetti.

A HISTORY
OF
THE CHETHAM HOSPITAL
AND
LIBRARY,

WITH A GENEALOGICAL ACCOUNT

OF
THE FOUNDER
AND THE FAMILY OF CHETHAM:

TO WHICH IS ADDED

AN APPENDIX,

CONTAINING

LETTERS AND PAPERS FROM THE PRIVY COUNCIL AND LIEUTENANCY RELATING TO THE
OFFICE OF HIGH SHERIFF AND TREASURER OF THE COUNTY OF LANCASTER,
&c., &c.

By WILLIAM ROBERT WHATTON, F.A.S. LOND. & EDINB.

AND MEMBER AND LIBRARIAN OF THE LITERARY AND PHILOSOPHICAL SOCIETY OF MANCHESTER, &c.

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1833.

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ADVERTISEMENT.

THE following Account of the Chetham Hospital and Library has been compiled partly from Papers and Documents in the possession of the Feoffees, and repositied in the Treasury, and partly from Books and Pedigrees in the Author's possession. He is fully aware of its imperfections, and that it is very meagre and devoid of incident ;—but when it is recollected how little of public interest is to be found in the life of a private Merchant, and how few and scanty are the materials from which the History has been drawn, it is hoped that the sins of the Compiler will not be visited too severely by the lash of the Critic.

To the Reverend Peter Hordern, M. A., the present Librarian, the Author is indebted for very many civilities and much assistance ; to the Reverend John Taylor Allen, M. A., Head Master of Clitheroe School, and to the Reverend John Radcliffe, M. A., Rector of Limehouse, he is also much obliged by the loan of valuable papers and lists of the Feoffees of the Charity since its foundation ;—and to the Feoffees themselves, for their kind permission to inspect the Archives, and to copy any papers likely to prove useful in the undertaking, he begs to present his acknowledgments and thanks.

*Portland Place,
October 24th, 1833.*

HISTORY
OF THE
CHETHAM HOSPITAL
AND
LIBRARY.

OF THE CHETHAM FAMILY.

THE family of Chetham, which is of considerable Antiquity in the County of Lancaster, received its surname from the little village, so called, two miles to the north of Manchester, and was represented, in the reign of Henry the third, by Sir Geoffrey de Chetham, Knight, a man of high character and respectability.

Sir Geoffrey appears to have held the important and responsible office of Sheriff of the County of Lancaster, during the years 1259, 60, 61, and 62, inclusive; and, in a partition of Lands in Withington and Didsbury, between Sir Nigel de Longford and Dame Maude de Goushull, on the eve of St. John the Baptist, 44 Henry the 3rd, 1260, he is mentioned as a witness, and, as his name stands, in this Instrument, first on the list, it is evidence, I think, that he was a Knight, and not a Priest.

Sir Geoffrey again occurs, among many others of note in the neighbourhood, as a subscribing witness to a grant by William, Earl Ferrers, in the 53rd year of the reign of Henry 3rd, 1269, of Lands in Flixton and the Manor of Hordeshall to David de Hulton.

It is to be observed, also, that certain lands, held by Sir Geoffrey de Chetham, came very soon afterwards into the possession of the Pilkington family. In the Charter Rolls in the Tower, in the 19th of Edward 1st, it may be seen that Sir Roger de Pilkington, Knight, was seized of Manors and Lands in Pilkington, Whitefield, Unsworth, Chetham, Crompton, Solgher and Wolstenhulme, some of which he had in right of his wife, who, very probably, was the daughter of Sir Geoffrey.

These possessions, however, did not eventually remain in the hands of the Pilkingtons. In the struggles for the Crown of England between Richard the third and the Earl of Richmond, afterwards Henry the 7th, many of the Lancashire Nobility and Gentry took up arms as their inclination or interest led them; among whom were the Lord Stanley, Sir Thomas Broughton of Broughton, Sir Thomas Pilkington of Pilkington, the Hollands of Holland, and many others.—On the accession of the new King, after the action at Bosworth, in which the foregoing parties were engaged, the extensive estates of Sir Thomas Pilkington, who fought on the side of Richard, were confiscated and bestowed upon the Lord Stanley, then created Earl of Derby, who had supported the claims of the Earl of Richmond; and among these possessions were part of the lands of the Chetham family, which had passed by the before mentioned marriage to the Pilkingtons.

The Earl of Derby found some difficulty in maintaining quiet possession, and with this view, according to Camden, built the fortress of Greenhalgh Castle, which enabled him, until the disposition of the times became more propitious, to protect himself from the incursions of the outlawed Nobility and Gentry, whose estates had been granted to him by his grateful master.

In the Testa de Neville, in the latter end of the reign of Edward the 1st, there is a return of four bovates of land in Chetham, held by Henry de Chetham, as tenant to Roger de Middleton, in thainage, for five shillings; and, in a list of the tenants of the Duke of Lancaster, in the year 1311, fourth of Edward the 2nd, the same Henry de Chetham held the same lands, from the same Roger de Middleton, and four bovates more of the King, in capite, in Chorlton. There was also a John de Chetham living at this period, who held lands in Bolmore and Crompton, and these persons I suppose to have been the sons of Sir Geoffrey de Chetham, and the brothers of the Lady de Pilkington, and that the eldest, Henry, was father of Geoffrey de Chetham, Esquire, who was returned, in the lists, as Sheriff of the County in the 45th of Edward the 3rd, 1371.

This Geoffrey, as I have good reason to conclude, married a daughter of Chadderton of Nuthurst, and became the Progenitor of the House of Chetham of Nuthurst; for I find lands and messuages, situate in that and the adjoining townships, regularly descending from the period of this marriage to his posterity, and the arms of Chadderton and Nuthurst soon after quartered by the Chethams, in conjunction with their own bearing.

CHETHAM OF NUTHURST.

Among the Harleian Manuscripts in the British Museum, No. 1987, page 80, there is a marriage of John de Chetham, styled of Nuthurst, who lived in the reign of Henry the 5th, with Katherine, daughter of Ralph Bradshaw of Aspull: and, in the evidences of the descent of Healey of Healey, James Chetham, Gentleman, was appointed to take seizen of lands on the 16th of November, 1424, in Honorusfield. These, with Ellen Chetham (who, according to the descent of Assheton of Lever, is specified as being the daughter of Geoffrey Chetham, Esq., and the wife of Adam Lever, Esq., of Great Lever) I take to be the children of the aforesaid Geoffrey, the Sheriff; and the eldest son, John, to be the father of Thomas Chetham of Nuthurst, Esq., who was named, in the before mentioned evidences of Healey, on the 14th of January, 1482, to award lands in Spotland.

This Thomas died seized of Messuages, Lands, and Woods in Nuthurst, Butterworth, Middleton, Castleton, and Crompton, &c., as appears by an Inquisitio post Mortem, taken in the 20th of Henry the 7th, 1505, leaving John Chetham, Esq., his son and heir.

John Chetham of Nuthurst, Esq., son and heir of Thomas, married a daughter of Ellis Prestwich, Esq., of Hulme, near Manchester, as appears by the Harl. Mss. No. 1549, he died in 1516, the Inquisition proving that fact being taken in the 7th year of the reign of Henry the 8th.

This John left three children, two sons and one daughter; Thomas, the eldest, who married Elizabeth, daughter of John Hopwood of Hopwood, Esquire, (which Elizabeth appears, by the Calendarium Placitorum of 1st Edw. 6th, to have been left a widow in 1547,) and Ellis, who married Jane, daughter of Richard Jakes, Gentleman, of Middleton; the latter being the Progenitor of the Chethams of the County of Norfolk.—Elizabeth, the daughter, was the wife of Thomas Birch, Esq., of Birch Hall.

Thomas Chetham, Esq., the eldest son, had issue, by Elizabeth Hopwood, two sons, John and Ralph; and two daughters, Elizabeth, the wife of Thomas Cudworth, Gentleman, of Oldham, and Alice: He died according to an Inquisition, taken in the 38th of Henry the 8th, in 1546, leaving his eldest son, John Chetham, Esq., his heir.

John Chetham of Nuthurst, Esq., the eldest son and heir of Thomas, was appointed, in 1556, one of the Feoffees of Manchester School. It is not known whom he married, but it appears that he died in 1574, 16th of Eliza-

beth, seized of the Nuthurst and other Estates, leaving Henry Chetham, his son and heir. Of Ralph, the second son, nothing is known.

Henry Chetham of Nuthurst, Esq., son and heir of John, died in 1577, only three years after the death of his father, and was certified by an Inquisition, in the 19th of Elizabeth, to be seized of the same Nuthurst, Butterworth, Middleton, Castleton, and Crompton Estates, and others in Manchester, Co. Lancaster. He left James Chetham, Esq., his son and heir.

James Chetham of Nuthurst, Esq., was aged twenty-one years, in the 21st year of the reign of Elizabeth, as appears by a Probatio *Ætatis*, then returned. He was appointed a Feoffee of Manchester School in 1581, and died in 1616, (Inq. post. Mortem, 16 Jac. 1) leaving Thomas Chetham, his son and heir, and a younger son, Francis.

Thomas Chetham of Nuthurst, Esq., son and heir of James Chetham, lived in the reigns of Charles the 1st and 2nd.—He granted a certificate of the descent of Humphrey Chetham, the Founder, from the house of Nuthurst, in 1635. His daughter, Maria, married Jonathan Chadwick, M. D., of Chadwick, Co. Lancaster. She died in July, 1688, and was buried in the Collegiate Church of Manchester, leaving seven children.¹

CHETHAM OF CROMPSALL.

In the British Museum and the College of Arms are three pedigrees of the House of Chetham, all entered at the visitation of the County in 1664, the respective branches being allowed, after the usual examination, to have the rank of gentlemen and to bear arms.

The first entry is that of Chetham of Nuthurst, consisting of five descents; the second Chetham of Turton, consisting also of the same number; and the third Chetham of Chetham, containing eight descents.

These three lines of the family appear to have been taken as descending from three brothers, though their origin from one common ancestor could not then be found.—Chetham of Nuthurst has no filial distinction, and, therefore, seems to have been considered the eldest line; Chetham of Turton is differenced by a crescent; and Chetham of Chetham has the distinction of a trefoil, which,

¹ *Hic jacet Eximium seculi sexusque sui decus ac dedecus, Maria, Thomæ Chetham de Nuthurst, armig. Filia Jonathan Chadwicke, de Chadwicke, Gen. consors charissima, quæ paulino optimæ Conjugis ac Mulieris Exemplari ad vivum expresso ex hac luce migravit, 17 Jul: 1688.*

however, was no accustomed mark of cadency, but probably had been given with that intent by Dugdale at his visitation, or had been so settled by some former Herald.

On the occasion of Humphrey Chetham, Esq., the Founder, being appointed Sheriff of the County of Lancaster, the origin of the Crompsall branch of the House of Chetham, from which he claimed descent, was brought into question, and a settlement attempted both by the family themselves, and by the Heralds, who issued various documents for that purpose; which documents will be more fully discussed hereafter, when we come to speak of the Founder himself. For the present, it will be better to continue the descent of the family.

According to the certificate of Thomas Chetham of Nuthurst, Esq., the last male descendant given in the foregoing page, dated 12th June, 1635, the Crompsall branch was declared to be descended "from a younger brother of the blood and lineage" of his ancestors; but as the actual male representative of that House, whose brother or son that "younger brother" was, is not specified, we are left to conjecture the period whence the descent proceeds.

A certificate to the same effect, from James Chetham, Gentleman, of Crompsall, was also produced, setting forth the descent of this branch from the Nuthurst line, and continuing it down to his own and his brother Ralph's children, and which certificate bears date the 20th of June, 1635.

A supplementary declaration or certificate was afterwards published by the aforesaid Thomas Chetham of Nuthurst, Esq., formally signed and sealed, confirmatory of the above mentioned descent, and granting licence to Humphrey Chetham, Esq., the Founder, to bear his arms, "with the difference of a second brother." This certificate is dated 4th of August, 1635. Consistently with these documents, the Crompsall branch would commence with Edward Chetham, the great grandfather of James, the author of the second certificate, who must have lived, if we form our judgment from the period of a correspondent generation in the Nuthurst line, about the end of the reign of Henry the eighth.

This Edward Chetham, of Crompsall, is represented to have had two sons; James, and a second son whose name was not remembered.

James, the eldest, is certified also to have had two sons, and several daughters; Edward, who died young, and Henry, who married Margaret, the daughter of Roger Wroe of Heaton Gate, in the parish of Prestwich, and who had nine children.

Of these nine children, the issue of Henry Chetham and Margaret Wroe, three died in their infancy; viz. Edward, Simon, and another not named.

Of the other sons, James was the eldest; George, the third, resided at Clayton Hall; Humphrey, the fifth, was the Founder of the Chetham Charities, and succeeded his brother in residence at Clayton; and Ralph, the sixth, married and left a numerous family;—Anne, the eldest daughter, was the wife of Mr. Daniel Travis of Blackley; and Alice, the younger, died unmarried.

James Chetham of Cromptall, Gentleman, the eldest son of Henry, was born on the 7th of April, 1565. He was twice married; his first wife was Elizabeth² Holland, the daughter of a gentleman resident in the same parish, by whom he had one son, Edward, who died an infant, without issue. His second wife was Isabel, the daughter of a Mr. Goldsmith of Manchester, by whom he had ten children; viz. George, Henry, Edmund, James, Edmund, Humphrey, and Edward; and three daughters, Jane, Isabel, and Elizabeth.

Of these the second, third, fourth, fifth and sixth sons died young and without issue.—Jane, the eldest daughter, was the wife of Mr. John Kay of Thornham, near Middleton; Isabel the second, was the wife of Mr. Richard Lomax of Redivals, whose descendants are now all extinct; and Elizabeth died an infant.

George,³ the eldest surviving son, was born on the 1st of July, 1594: He

² In the various descents of Chetham her name is stated to be Isabel, but, according to the register of the parish of Manchester, it is Elizabeth.

³ Mr. George Chetham, citizen and grocer, served the offices of Alderman and Sheriff of the city of London in the year 1656; as appears by the following document, in his own hand writing, though Fuller says he was fined for the same.

“Dec^r. 9, 1656, Paid by George Chetham, Esq^r., as followeth:—

“Charge at London, concerning the line of Aldermanship and Sheriffship, and necessary expenses there, to myself and Men about the same occasion, I say, paid and cost me, Geo. Chetham, Esq., the sum of £0508 12 8.”

He was nominated one of the Feoffees of Manchester School in the year 1654, and again, after the Restoration, in 1661. He afterwards resided at Turton Tower, and died in 1664, aged 70 years.

He founded and endowed the Charity School at Turton, for the education of six poor boys.

In the Chetham Chapel, in the Collegiate Church, is this Inscription to his memory,

Thesaurus supremo demum
effodiendus die.
Hic est reconditus
Georgius Chetham de Turton
et Clayton, Armiger,
Qui in Deum pius,
in pauperes benignus,
in vicinos comis,
in omnes justus,
vixit.

was twice married; first, to Elizabeth, daughter of Henry Johnson of Manchester, mercer, by whom he had two children, Isabel and Humphrey,⁴ who both died unmarried; and secondly, in London, to a lady whose christian name was Katharine, but whose surname is not known. By her he had issue five children, James, Elizabeth, Abigail, Anne, George, Henry, and a son

In fundum vero a se tenentes,
adeo fuit mitis, adeo indulgens,
Quod non dominus sed patronus,
Imo pater ab illis semper agnitus,
Solennis etiam hic illi mos fuit,
non magna loqui sed vivere.
Post varios denique cruciatus, quos
inter ægotandum æquo
passus est animo,
placidè obdormivit
in Domino,
decembris XIII^o,
anno ætatis suæ LXX^{mo},
ære christianæ MDCLXIII^{to}.

⁴ Upon the death of this young gentleman, on the 13th of February, 1658, was published in 12mo., a work entitled “ΨΥΧΗΣΗΜΙΑ, or the Greatest Loss,”—on Matthew xvi. 26.—by J. Livesey of Bolton, printed in London, 1660.

It is dedicated “to the right worshipful George Chetham, Esquire, late Alderman of that renowned City of London, and now High Sheriff of the famous county palatine of Lancaster, Lord of Turton, Clayton, &c.; and his virtuous Consort, Mrs. Katherine Chetham, with their hopeful progeny, Mr. James, Mr. Henry, and Mrs. Elizabeth, Abigail, and Anne, and the rest of that worthy family.”

In the address, Mr. Livesey laments the early death of this promising young man, “the ornament of your family, the hope of your country, the glory of your posterity, the honour of your name, the delight of your eyes, the most righteous Lord hath taken from you with a stroke;” and exhorts them to resignation and an imitation of his virtues. “An exact and graphical delineation of his good qualities I leave to the learned pen of that eminent divine, Mr. Job Tildesley, who is importuned to print his Funeral Sermon.”

He appears to have had some idea of entering into the Church, and the writer remarks upon his frequency in reading the Scriptures, and his diligence in writing sermons.

His diary, in which the principal “passages of Providence” during his life are depicted, and “of which there was no discovery till he was laid in the dust,” bespeaks him a man of much learning, piety, and sincerity.

He was buried in the Chetham Chapel, in the Collegiate Church,—as the following memorandum by his father will shew:—“Mr. Humphrey Chetham, son of me George Chetham, Esq., died Feb. 13, and was buried at Manchester, Feb. 18, 1658.—The Charges of the funerall came to the sum of CLXX^L X^S IX^D.”

whose name is not remembered, who all died young and without issue, except the eldest.

Mr. Chetham served the office of Sheriff of the County in the year 1660,⁵ and died in the year 1664, aged 70.

James Chetham, Esq.,⁶ the eldest son, was born on the 24th of August, 1641, and married Margaret,⁷ the daughter and coheiress of Sir Samuel Sleigh, of Etwall, in the county of Derby, Knight, by whom he had four sons, Samuel, born in 1675, a Feoffee of Manchester School in 1726, and High Sheriff of the county in 1738,⁸ who married Mary, sixth, and youngest,

⁵ Extract from the Proceedings of Parliament. "Monday March 12, 1659. Ordered that George Chetham of Turton Esquire be, and is hereby, nominated and approved of to be Sheriffe of the County of Lancaster; and that the Lords Commissioners for the Greate Seale, doe pass a patent to him under the Greate Seale, to be Sheriffe of the County of Lancaster accordingly."

⁶ Jacobus Chetham de Turton Armiger.

Natus August: 24^{to}. } Anno { MDCXLI
Denatus Maii 20^{mo}. } Christi { MDCXCVII

Exuvias hic deposuit.

Visne Viator plura?—Vicina Georgii Chetham
perlege marmora, cui filius nequaquam degener.

⁷ Inter hujus cineres reconduntur reliquiæ
conjugis Margaretæ,
feminæ tali socero dignæ,
taliq: marito;

D: Sam: Sleigh de Etwall, in agro Derbiensi,
Equitis Aurati, filiæ et cohæredis;
quæ, ut pietatis mercede potiretur,
in beatorum sedes migravit,
die Janⁱⁱ. XX^{mo}.

Anno ætatis LXIV, salutis MDCCIX.

(Mon. in Chetham Chapel.)

⁸ "Beneath is interred Samuel Chetham, of Castleton, Turton, Clayton, &c., in this County, and of Ash, in the County of Derby, Esquire.

Descended of an ancient family formerly seated at Nuthurst, in this parish, celebrated for munificence and charity; monuments whereof are to be seen near this place, more durable than those of brass or marble, more honourable than pompous inscriptions.

Distinguished by his own virtues and abilities, just, humane, generous; in the direction of his private affairs prudent; in the discharge of many public trusts active; unbiassed by prejudice; friendship, or faction. He diffused around him by his example and encouragement every virtue, and transmitted to posterity with great additions the honour and fortunes of his family. He was taken off by a sudden stroke of death in the 69th year of his age, the 20th of March, 1744.

daughter and coheiress of James Holt of Castleton, Esq., but died suddenly in 1744, without issue;⁹—Humphrey, who died in 1749,¹⁰ unmarried, and was buried at Manchester; and the Reverend James Chetham, Clerk, D. D., and

His only wife was Mary, one of the daughters and coheirs of James Holt of Castleton, Esq^{re}., by whom having no issue, his Estates descended to Humphrey Chetham, Esq^{re}., his only surviving brother. She, having discharged to him living every conjugal duty, consecrates to his memory this monument." (Mon. Ch. Ch.)

"Mr. Chetham left £500. at the Assizes, in the year 1738, in the hands of the Reverend Dr. Fenton, Vicar of Lancaster, and Mr. Commissary, for the discharge of poor prisoners in the Castle there." (MS. in poss. of the Author.)

⁹ Mary, 6th dau. of James Holt, of Castleton Esq., by Dorothy, dau. of Thomas Grantham of Goltho, co. Linc. Esq. married, July 20th 1714, Samuel Chetham, of Turton Esq^{re}. who purchased the shares of the other Sisters, and dying intestate without issue, March 1744, was succeeded by Humphrey, his Brother, and he by their kinsman Edward, Counsellor at Law, of Moston near Manchester, as tenant for life. He died Feb. 20th 1768, on which event, in consequence of a settlement made by Humphrey Chetham, the Estates in Castleton, &c. devolved to James Winstanley, Esquire, of Braunston, Co. Leicester, (who had married Frances, the eldest daughter) by whose son Clement they were soon after sold. (WHITAKER's Whalley, p. 454.)

Here is Castleton Hall, a large irregular pile, the residence of the Holts from the time of their quitting Stubley, about 1640, to the death of James Holt Esq. in 1713;—afterwards of the Chethams, till the death of Edward Chetham Esq. in 1769. (WHITAKER's Whalley, p. 457.)

¹⁰ Mr. Humfrey Chetham, Merchant, of Manchester, left by his will, dated in December, 1746, all the Castleton & Marland Estates to Mary, the widow of his Brother Samuel, in lieu of her jointure of £400 per annum.—To Mr. Edward Chetham of Manchester, Barrister at Law, his Cousin, for life. Remainder to trustees, Edmund Hopwood & Thomas Horton Esq^{rs}.—Remainder to first and other sons. Remainder to his Cousin, James Chetham of Smedley, Esquire—Remainder to Trustees, Sir Henry Harper & Sir Nathaniel Curson—Remainder to James, son of Frances Winstanley, for life, & 1st. and other Sons.—Remainder to right heirs of James Holt of Castleton Esq. Chargeable with the Sum of £10,000 to M^{rs}. Winstanley & M^{rs}. Cavendish's children.

March 10, 1769. James Winstanley & Clement, his son, suffered a recovery; 2nd November in the same year, James, the father, died, having settled the Estates to trustees for safety; & 7th March, 1772, same trustees convey back to Clement Winstanley Esq. The Legacies to M^{rs}. Winstanley & M^{rs}. Cavendish were paid before the latter date. (Extracted from Mr. BARRITT's papers.)

Mr. Gervase Chetham,¹¹ who also both died without issue; and two daughters, Abigail¹² and Judith.¹³

By the decease of the children of James Chetham, of Crompsall, Esq., and Margaret Sleigh, without issue, the whole of the elder line of the family of Chetham of Crompsall became extinct; and we now pass over Humphrey, *the Founder*, for the purpose of speaking of the descendants of Ralph, the sixth son of Henry Chetham and Margaret Wroe, by whom the male line was continued one generation.

This Ralph Chetham, Gentleman, sixth son of Henry, married Margaret, daughter of Mr. Adam Smith of Manchester; by her he had seven children, and falling sick at St. Alban's, on a journey to London, died and was buried there.

Of these children, the sons, viz. George,¹⁴ who was born on the 1st of May, 1623, Samuel, who was born on the 28th of October, 1624, and Ralph, who was born on the 30th of April, 1626, all died unmarried and without issue; and of the daughters, Mary, the eldest, was the wife of John Cunliffe, of the Hollins, Gentleman; Margaret, of the Reverend John Tildesley, Clerk; and Elizabeth, of Mr. Edward Croston; and Alice died unmarried.

The issue of the eldest daughter Mary, by John Cunliffe, was Nicholas Cunliffe, who was the father of John Cunliffe, who had two children, Henry Cunliffe, of Whycollar, near Colne, Esquire, and Elizabeth, who married Mr. John Scargill, of Sheffield. Mr. Henry Cunliffe was twice married, and

¹¹ "Hic in spe requiescit quod mortale fuit Jervassii, filii Jacobi Chetham, nuper de Turton, Armigeri, qui obiit mensis Maii die XIX.

Anno { Salutis MDCCXVIII
Ætatis XXXIV."

¹² "Exuvias hic deposuit Abigail, filia natu major Jacobi Chetham, nuper de Turton, Armigeri, quæ ex hac vitâ in meliorem migravit XXVII die decemb: Anno Salutis MDCCXIV^{to}. Ætatis XLI^o."

¹³ "In spe beatæ resurrectionis, hic requiescit pars mortalis Judithæ, filiæ natu minoris Jacobi Chetham, nuper de Turton, Armigeri, Quæ animam Deo reddidit Januarij die II^{do}. Anno æræ Christian: MDCCX Ætatis XXIV."

¹⁴ "He was a Legatee in the Founder's will for £200. He was crazy, hippish and much dejected. He lived at Clayton Hall, but being as aforesaid, he was brought to Leer, near Turton, and lived with Mr. Crompton, and died a Bachelor. He was commonly called 'mad Chetham'; sometimes holding a glass of wine in his hand, and letting it fall, saying, 'thus fell Turton & Clayton'." (COOPER'S MSS.)

left issue, a daughter, who was the wife of Mr. Owen, by whom she had a son, Henry Owen, who afterwards succeeded to the property, and took the name of Cunliffe.

The family of Margaret Chetham, the second daughter, by the Reverend John Tildesley, consisted of four daughters; Elizabeth, the wife of Richard Percival of Ollerton, Esq.;—Mary, the wife, first of Mr. Partington, and secondly of Mr. Earl;—Martha, who married Mr. Ogden;—and Margaret, who married Mr. Hooper. The descendants of the three younger daughters are not known, but the family of Elizabeth Tildesley by Richard Percival, Esq., was seven children:—Richard, John, Thomas, Margaret, Martha, Elizabeth and Jane. The three sons and two eldest daughters are supposed to have died unmarried; Elizabeth had one daughter, the wife of James Taylor of Ardwick Green, near Manchester, and left issue;—Jane, the youngest daughter, married Mr. Benjamin Naylor, of Manchester, and had three children, Peter, Richard, and James; of which the first and last died infants, and the second, Richard, born the 31st of January, 1729, married a daughter of Mr. Joseph Percival, of Warrington, and had two sons and a daughter, viz. Percival Naylor, born 20th Dec. 1757, Benjamin, born 23rd Aug. 1761, and Martha, born 14th Dec. 1765.

The family of Elizabeth Chetham, the third daughter, by Edward Croston, was four children, two sons, John and Edward, and two daughters, Elizabeth and Margaret. The issue of the sons is not known. Elizabeth married Mr. Thomas Plant, by whom she had two children; Olive, the wife of Mr. Thomas Hargreaves, mercer, of Haslingden, who had two children, John and Alice; and Laurence, who married Susannah, the daughter of James Pilkington, of Brightmete, Esq., by his second wife, Catharine, daughter of Thomas Lacy, Esq., of Harkin Hall, near Whalley, by his second wife, Winifred, daughter of Sir Francis Armitage, of Kirklees, in the county of York, Baronet. They had thirteen children, Thomas, Olive, Elizabeth, James, John, Olive Mary, Sarah, Joseph, Charles Clement, two boys still born, and Edward Erastus.

The issue male of Ralph, sixth son of Henry Chetham, Gentleman, having failed, we shall now speak, first, of the descendants of Anne Chetham, (daughter of the said Henry Chetham,) who married Mr. Daniel Travis of Blackley, and, secondly, of the descendants of Jane Chetham, (daughter of James Chetham, Esq., and Isabel Goldsmith,) by Mr. John Kay;—and afterwards pass on to Edward Chetham, Gentleman, of Smedley, the youngest

child of the said James Chetham and Elizabeth Goldsmith, and brother of Jane Kay.

The issue of Mr. Daniel Travis, of Blackley, by his wife Anne, daughter of Henry Chetham, Gentleman, of Crumpsall, and Margaret Wroe, was seven children; viz. George, who lived with his uncle, the Founder, at Clayton Hall; Richard;—James, who married Sarah, the daughter of Robert Hilton of Blackley, and had four children, Alice, Dorothy, Susan, and James;—Seth, who died unmarried;—Ralph, who married Ellen, daughter of William Bowker, and had three children, viz. Anne, Daniel, and Mary;—Alice, wife of Richard Cooper, of Blackley;—and Dorothy.

The issue of Richard Cooper and Alice Travis, were Alice, Ellen, Ralph, John, Anne, Elizabeth, Susan, and Mary. John Cooper, the second son, married a daughter of Mr. Sparling, who resided near Lancaster. He had three children, John, Benjamin, and Mary. John Cooper, the eldest son, married Mary, daughter of Mr. Laurence Howarth, and relict of Thomas Hall, Gent. By her he had six children; viz. James, Margaret, John, Richard, Mary, and Ralph.

The issue of Jane Chetham, seventh child of James Chetham and Elizabeth Goldsmith, by John Kay was two sons, Richard, born in February, 1628, and James, of whom presently. Richard had two sons, John, born in 1676, and Richard, who died unmarried.

John Kay, the eldest son, had a daughter Elizabeth, born 28th of August, 1704; and other children, who all died young. Elizabeth Kay married Mr. Thomas Branthwaite; they had issue, 1st, John, born 16th Sept. 1733;—2nd, Martha, born 16th March, 1736, wife of John Bradshaw, of Manchester, Gent.;—Elizabeth, born 26th June, 1739; and Thomas, born 13th Nov. 1745, Fellow of Brazenose Coll. Oxon., Rector of Stepney, Co. Middlesex, Chaplain to William (Cleaver) Bishop of Chester, and Archdeacon of Richmond. He married Mary, the daughter of Otho Cooke, of Manchester, Esq.

The issue of James Kay, second son of John Kay and Jane Chetham, was a son, John, who had nine children; James, Edward, Henry, Robert, John, Sarah, Robert, Edward, and Elizabeth. They all died without issue, except Elizabeth, who married Otho Cooke, Esq., of Manchester, mentioned above.

The issue of Otho Cooke, Esq., by Elizabeth Kay, was Mary the wife of the aforesaid Rev. Thomas Branthwaite; Sarah, the wife of Robert Kenyon, son of George Kenyon, of Peel, Esq.;—Henry, who died young;—Otho, born 30th Aug. 1774, married, but had no issue;—John, who died unmarried;—James, who married Anne, daughter of Thomas Alderson, of Lynn, Esq.,

and died without issue;—Elizabeth, who died an infant;—and Robert, who died aged 27, in 1773.

- We now come to Edward Chetham, youngest child of James Chetham, Gentleman, of Crumpsall, and Elizabeth Goldsmith, who was born on the 31st of January, 1612. He resided at Smedley, and married a lady whose christian name appears to have been Alice, but whose surname is not remembered.¹⁵ He was a Feoffee of Manchester School in 1661.—This Edward Chetham had four sons, James, Humphrey, Edward, and George;—and three daughters; Alice, who married Mr. Lever, of Colchester, Co. Essex, Isabel, who died unmarried; and Mary, who married a gentleman of the name of Davis.

James Chetham, the eldest son, was born on the 29th of December, 1640, was a Feoffee of Manchester School in 1676, and died unmarried in 1692; of whom it is said that he gave Moston and Failsworth to his brother George.—Humphrey, the second son, was born on the 3rd of January, 1643, and died unmarried;—Edward, the third son, born 22nd December, 1647, married and resided at Nuthurst; he died on the 8th of May, 1714,¹⁶ leaving one son, Edward, Esq., a Barrister at Law, who succeeded to the Estates at Castleton, Turton, Smedley, &c., by devise of his cousin Humfrey Chetham, Esq., of Manchester, in 1755; and likewise to those of Mrs. Ann Chetham, daughter of George Chetham, Esq., of Broughton, and sister of James Chetham, Esq., of Smedley, and died unmarried and intestate, on the 19th of February, 1769,¹⁷ a devisee in the will of Humphrey, his uncle; and two daughters, Alice, the wife of Adam Bland, Esquire; and Mary, the wife of Samuel Clowes, of Chaddock, Esquire.

George Chetham, Esq., the fourth son, resided at Broughton, near Manchester; he married and left two sons and three daughters; James, the eldest,

¹⁵ “Hic jacent Corpora Edwardi Chetham de Chetham, Com. Lanc. Gen. & Elicæ, uxoris ejus: Ille sepultus 28 die Augusti Anno Dom. 1684. Illa etiam sepulta Septimo die julii Anno Dom. 1681.”

“Buried 1681, July 7th, Alice, wife to Edward Chetham of Smedley, Gent.—1684, August 28th, Edward Chetham of Smedley, Gent.”—Coll. Ch. Register.

¹⁶ “Hic jacent Corpora Edwardi Chetham de Nuthurst Armigeri, qui obiit Octavo die Maij, Anno Dom. 1714, & Mariæ uxoris ejus quæ obiit Vicessimo Septimo die Februarij, Anno Dom. 1707.”

¹⁷ “Near this place is interred the body of Edward Chetham, Esq^{re}., of Castleton, Turton, Smedley, &c., who departed this life the 19th. Feb^y. 1769, in the 80th. year of his age. This Monument was erected to his memory by his surviving sisters, Alice Bland, relict of Adam Bland, Esq., and Mary, the wife of Samuel Clowes, Esq.”

of Smedley, Esquire, High Sheriff of the County in the year 1730, and one of the Feoffees of Manchester School, who died intestate in February, 1762;¹⁸ and George, the younger, who died in the lifetime of his brother.—

¹⁸ This gentleman was the Author of “The Angler’s Vade-mecum: or a Compendious, yet full discourse of Angling: discovering the aptest methods and ways, exactest rules, properest baits and the choicest experiments for the catching all manner of fresh water fish—together with a brief discourse of fish ponds, and not only the easiest, but more palatable ways of dressing of all sorts of fish—whether belonging to rivers, or ponds; and the laws concerning angling, and the preservation of such fish.”

The two first editions were published anonymously; to the third, he says, in the preface, dated Smedley, Novr. 26, 1688, “he annexes his name, not out of the common itch or ostentation to be seen in print, but to evidence that he is not ashamed to own the work, which, though at first anonymous, had met with so generous a reception from Anglers.”

“I purposely forbear, says Mr. Chetham, to speak anything, as is usual, in praise of Angling, or of its antiquity, or any ways to celebrate it, by telling you what holy, wise and illustrious persons have not only been practisers thereof, in all ages, but also spoken largely in its commendation; neither shall I enumerate the manifold advantages it has of other recreations, especially by its easy attainment, by the smallness of its expence, its salubrity, and its creating a calm and sedate temper of mind; that being an unworthy way of raising to reputation, by reflecting with detraction on other sports: neither could I ever observe that harangues of that nature ever caused any person to be enamoured thereon, unless there be a natural propensity in his own genius thereunto:—Anglers, like poets, being born with an innate affection for angling, as poets with a peculiar affection for poetry; only, this let me note, that none ever by their fondness for this art consumed lordships or lands, left and intended by provident ancestors for a support to their posterity: nor deplored any misfortune (if he kept him on dry land) he received by pursuit of this recreation: it no ways being accompanied with those inconveniences which frequently attend others: nor is there herein the least natural tendency to vice.”

Of the manner of *dressing* fish, he observes, page 252, “although I cannot pretend to the least skill of cookery, yet I will not deny, but that, as the times phrase it, I understand something of eating; and very well know that the Angler, when from home, and would pleasure his friends with the fruits of his recreations, frequently meets with such ill huswives at ordinary inns or Ale-houses, being often enforced to take up his quarters at such places, for the conveniences of the river he angles at, as render by their ill dressing the most delicate fish not only ingrateful to the palate, but even nauseous to the stomach:—to obviate which inconvenience, I shall here furnish the Angler, out of Mr. Walton, the ingenious Mr. Cotton and others, with the easiest and best ways of dressing fish,” &c. &c.

The following picture of his native stream, compared with its present Stygian tinge, is amusing. “Finally let me tell you that in the course of my observations, I know amongst all sorts of fish, none differ among themselves in taste more than Eels; for I eat of them taken out of above 30 several rivers, and amongst the rest, the Thames, Severn and Trent eel;—yet none that ever I met with were to be compared for goodness, although not very large, and deliciousness of taste, to

Of the daughters, Anne, the eldest, survived her brother James, and upon her death, the Smedley, Broughton, Manchester, Moston, Salford and other estates descended to her cousin and heir at law, Edward Chetham, Esq., the Barrister.—The two youngest daughters, Alice and Martha, died in their brother's lifetime, unmarried.

The extensive estates of the Chetham family are now enjoyed by the repre-

the eels caught in a small river in Lancashire, call the Irk, which is composed of 3 small brooks that have their conflux near unto Middleton Hall, where it assumes the name of Irk, and thence descends through Blackley and Crumpsall, &c., to Manchester, where under Chetham's Hospital, it mingles its waters with the Irwell, and thereunto pays the tribute of its name, neither are the inhabitants on its banks partial in their judgments by reason of their vicinity; but it is highly applauded for its excellent taste by persons, mere strangers, and such as have the estimation of curious palates, and having often enquired of the neighbouring people to it, what might be the reason, they have unanimously ascribed it to the numerousness of falling mills that stand on that river; and say that the fat, oyl and grease scoured out of the cloth, makes the eels palatable and fat above other river eels; and perhaps their opinion may come nearer the truth than any philosophical reason or cause can possibly be assigned; For I have frequently reflected on the river running pretty swift, and upon a cankered and very meagre, hungry soil, pebble stones, and gravel, and not to run slow nor upon a fat, marly, nor chalky soil: so consequently the water not thereby impregnated with any unctuous fattening spirit. In the same river there are trouts, though not so many as formerly, yet those that are caught in it are not inferior for goodness and excellency of taste to any I ever eat of."

Mr. Chetham appears to have travelled a good deal upon the Continent, perhaps, for his own recreation; for I find no traces of any mercantile connection, in which he was ever engaged as a man of business.—Mr. Greswell mentions, in 1809, having seen a MS. Journal, the first date of which is "Livorno, Nov. 24, 1702, describing a visit to Pisa, Carrara, &c.—March 6, 1703, went to Lucca during the Carnival. June 23, at Florence.—1705, 29 May, Particulars of a Journey to Florence to wait on Dr. Henry Newton, when he made his public entry to the Great Duke, Prince and Princess of Tuscany."

"The forementioned memoranda are only for my own satisfaction, being not fit to be perused by any one else. 1706, Livorno, primo Maij. Some memorandums of a Journey from hence to London, begun this day in company with Mr. Edw. Althorpe."

"1706. London, 27 September. Some memorandums of a Journey from hence to Livorno, begun this day in company with Mr. B. Hennet, Mr. Brutus Brown, & Mr. George Consterdine—Oct. 9, Left Harwich and arrived at Helvoetsluys, in a schuyt for Rotterdam, the Hague, Leyden, &c.;—passed Harlem, Aust:—rem^d. 4 days—Hanurstad, Arnheim, Dusburch, Wessel, Disbergh, Dusseldorf, Cologne, Frankfurt, Waerts, Wirebach, Gillert, Frilling, Walmeut, Dettingen, &c. &c. arrived 5 Dec. at Livorno."

"Livorno, 21 Feb^y. 1712—Some memorandums of a Journey from hence to Rome & Naples, in company with the Rev: Mr. Basil Kennet, until my return home, to Livorno, p^{mo}. Junii foll^g.—This is the largest portion, and contains an account of the most remarkable objects seen in those cities."

I find this gentleman a subscriber, in 1743, to Richardson's edition of Godwin de Presulibus.

sentatives of the aforesaid Alice and Mary, daughters and coheiresses of Edward Chetham of Nuthurst, Esq., who made a partition in 1770, after the death of their mother, and with whose descendants I shall conclude this chapter.

Alice, the eldest daughter, married Adam Bland, Esq., by whom she had a daughter, Mary, the wife of Mordecai Greene, Esq.¹⁹ She left her division of the property, which consisted of estates situate in Turton, Droylsden, Failsworth, Newton and Spotland, to her daughter, Mrs. Greene, for life, with remainder to her grandson James Greene, Esq., in fee. Mrs. Bland died in 1774.

James, the son and heir of Mordecai Greene, Esq., married Miss Ann Brigstock, and, having served in Parliament for the Borough of Arundel, and held many diplomatic situations on the Continent, died in the year 1814, leaving five daughters and coheiresses; viz. Mary Anne, the wife of Edward Frere, Esq.—Arabella Penelope Eliza, the wife of Peter Richard Hoare, Esq.—Charlotte Alice, the wife of Edward William Seymour, Esq.—Angelina Frances, the wife of George Matthew Hoare, Esq.—and Anna Sophia.

Mrs. Freere has issue twelve children; viz. Edward, George Edward, Mary Anne, Jane Eleanor Arabella, William Edward, John Edward, Bartholomew Edward, Richard Edward, Arthur Edward, Susannah Isabella, Frances Ann, and Emma.

Mrs. Arabella Hoare has issue eight children; Peter Richard, Henry Edward, Frances Mary Arabella, Arabella, Richard Peter, Isabella Dorothea, Henrietta Ann, and Sophia.

Mrs. Angelina Hoare has issue three children; Henry James, Matthew Edward, and Charles Hugh.

Mrs. Seymour has no family.

Mary, the younger daughter of Edward Chetham, Esq., married Samuel Clowes of Chaddock Hall, Co. Lanc. Esq., by whom she had two sons and

19 MARLÆ . GREENE
 FIL . NAT . MIN . ADAMI . BLAND
 ET . UXORI . MORDECAI . GREENE
 QUÆ . VIXIT . ANN . LXXVIII . DIEB . VI
 DECESSIT . XI . CAL . MAII
 ANN . SACRO . MDCCLXXXVI
 ET . IN . HOC . SACELLO . CONDITA . EST
 JACOBUS . GREENE . FILIUS . SUPRESTES
 M . B . M . H . M . P

(This Inscription is said to have been written by the Rev. Dr. PARR.)

one daughter;—Samuel, the eldest son and heir, who resided at Broughton, and married Rachael, daughter and coheiress of William Legh of West Houghton, Esq.—Edward, who died unmarried;—and Anne, the wife, first, of James Hilton of Ravington, Esq., and, secondly, of Thomas Crosse of Shawe Hill, County of Lancaster, Esq.

The issue of Samuel Clowes Esq. and Rachael Legh were two sons, Samuel, the eldest, and William, who died unmarried, and two daughters, Mary, the wife of John Livesey Esq., and Frances, the wife of the Rev. Henry Browne.

Samuel, the eldest son and heir, married Martha, daughter of John Tipping Esq., of Ardwick, by whom he had six children. Mary, the wife of Sir George Scovell, K. C. B., Colonel in the Army and Aide de Camp to the King;—Samuel, the eldest son and heir, who married Dulcibella, daughter of ——— Wilkinson, Esq., and died without issue;—The Rev. John Clowes A. M., of Broughton Hall, Fellow of the Collegiate Church of Manchester;—Frances, widow of the Rev. Joseph Bradshaw, Rector of Wilmslow;—Martha, the wife of Samuel Chetham Hilton of Pennington and Moston, Esq.;—and William Legh Clowes Esq., who married Antonia, daughter of the Rev. Mr. Holden of Aston Hall, Co. Derby, by whom he has seven children.

The issue of Mary, the eldest daughter, by Mr. Livesey were six children. Of these the sons, John Pearson Livesey and Thomas Livesey died without issue;—The daughters are, Mary, the wife of Major Goldsworthy;—Elizabeth, of Thomas Bridges Esq., Captain in the 4th Regiment of Dragoons;—Frances, of William Anderdon Esq.;—and Anne, of Robert Lane Esq.

The issue of Anne, sole daughter of Samuel Clowes of Chaddock Esq., and Mary Chetham, are Samuel Chetham Hilton Esq., before named, who married Martha, the youngest daughter of Samuel Clowes Esq.;—James Hilton Esq., Major in the Lancashire Militia;—John Richard Hilton Esq., Commander in the Royal Navy, and a knight of the Sicilian order of St. Ferdinand and of Merit;—Thomas Hilton Esq., Captain in the Army, deceased;—William Legh Hilton Esq.;—Beatrice;—Margaret, the wife of Henry Hesketh Esq.;—and Harriet, the wife of George Walmsley Esq.

OF THE FOUNDER.

The illustrious individual to whom the County of Lancaster stands indebted for the splendid Charities, of which the following pages profess to give a description, was Humphrey, the fifth son of Henry Chetham of Crumpsall, and was baptized at the Collegiate Church of Manchester, on the 10th of July, 1580.

From the evident taste for literary acquirements displayed by him in after life, there is good reason for supposing that he received a competent classical education at the Manchester School founded by Bishop Oldham; and it seems probable also, that, with his two brothers, George and Ralph, he was apprenticed in that town, and initiated into the business which he afterwards so successfully followed.

At this period Manchester and Bolton were the chief market for fustians, which were brought thither from all parts of the surrounding country. The Chethams were the principal buyers, and the London dealers were supplied by them with these materials of apparel, then in almost general use throughout the nation.²⁰

By this commerce, which was doubtless conducted on a very extensive scale, Mr. Chetham acquired opulence; while his strict integrity, his piety and his works of charity and benevolence secured him the confidence and esteem of those around him. Having retired from business, he purchased considerable estates in the county, and resided chiefly at Clayton Hall, near Manchester, at that time a very respectable residence, surrounded, according to the prevailing fashion of the times, by a deep moat, the extent of which may yet be easily traced.²¹ George, the elder brother, resided occasionally at Turton Tower, near Bolton.

²⁰ So early as the days of Chaucer fustians appear to have been worn by persons of consideration—since he clothes his Knight in a fustian *gipan* or doublet.

“Of Fustian he werid a gipan

“Alle besmattrid with his haburgeon.”

²¹ During the reign of the Stuarts, the expedients devised for raising money were, in some instances, singular and curious. Baronetcies were offered for sale at a fixed price by James the first, and the example was followed and improved upon by his son Charles; from those Gentlemen who were ambitious of Knighthood large fees were demanded on their creation; and from others who declined the honour, still larger ones were exacted for their escape; so that, any way, the order was sure of proving a profitable speculation. The following choice morceau appears to have been the

In 1634 Mr. Chetham was considered a fit and proper person for filling the office of High Sheriff of the County, and his name was accordingly returned to the Privy Council by the Judges of Assize at their last sitting. His great modesty, however, and his sagacious foresight of approaching troubles deterred him from shewing any seeming readiness in accepting that honourable office,²² and although it had before been conferred upon men of inferior standing, and upon others, who, like himself, had risen to eminence altogether from commercial speculations, he was still fearful of being thought presumptuous and eager for advancement. With this impression, therefore, as soon as he had ascertained that the report of his being pricked for Sheriff was not improbable, he addressed the following letter to Mr. Bannister of Brightmett, requesting his influence in withdrawing the attention of the Privy Council from himself, and hoping that some other name might be found for the appointment, more worthy than his own, and to whom it might be more acceptable.

“Noble Sir,

My due respects premised, &c. So it is that a report suddenlie bruted abroade, which comes to mee by the Relation of your brother

first favour Mr. Chetham received from the Government; and, as it is dated from his own residence, his “lovinge freind,” the Messenger, seems to have been sent round to collect the fines.

“Mr. Humphrey Cheatom of Turton. You are

By virtue of a Warrant directed to me from the Lordes of His Maties most honorable privie Counsell, beinge Comissioners appoynted by his Matie to compound with those for not appearinge at His Matie's Crowneation to take upon them the order of Knighthood: You are therefore to appeare before their Honors at Whitehall on the XXth day of October next. Whereof you are not to fayle as you will answare the contrarie at your perill. Dated at your House this 30th day of August 1631.

your lovinge freind to command

FRANCIS TAYLOR

one of the Messengers of His Matie's Chamber.”

²² Soon after the accession of Charles the 1st to the throne, His Majesty had urged upon the notice of the Parliament the war with the Palatinate, in which his Father had engaged by their advice, and demanded that it should be prosecuted and supplied;—the plague had been long raging throughout the country; religious jealousies ran high;—the King was deeply in debt, and the Commons and the people greatly dissatisfied.

An application to Parliament for subsidies was answered by a general declaration of grievances, and the king, perceiving the House resolved to refuse him supplies, dissolved the Parliament.

The English Service Book was ordered to be read in the Scotch Kirk, and the Surplice to be worn by its Ministers; this gave great offence, and the order was refused by the Dean of Edinburgh.

Under such a climax of disasters, it was by no means singular that Mr. Chetham should foresee a storm, or that he should express a wish to be excused from accepting the Shrievalty.

Mr. Richard Banister, puts mee in some jealousie that I am in the waie to bee Sheriffe, which although the consideration of my unworthiness (mee thinks) might correct the conceit, yet out of the observation of former tymes, wherein this eminent office hath falne verie lowe, I cannot presume of freedome, but I am confident out of your ancient professed friendshipp, you will not bee the Instrument to bring mee upon the Stage, nor yett if there shall be neede of you, that you will stand nutor; but that's not all, for my earnest desire is, (seeinge that power is in your hands) that you would stand betwixt mee and danger, that if anie putt me forwards, that you will stand in the waie and Suffer mee not to come in the Ranke of those that shall bee presented to the King's view; whereby I shall bee made more popular, and thereby more subject to the perill of the Tymes. I am ashamed to expresse what a burthen this honour would bee to mee, therefore, good Sir, let it light where it maie bee more welcome,

And so I shall rest in peace,

Your safe and ever thankful Friend,
to bee commanded

HUMFREY CHEETAM."

Mr. Chetham was, however, nominated Sheriff of the County by the Lords of the Council for the year 163 $\frac{1}{2}$, and confirmed by His Majesty.²³

²³ We find it customary at this period for the Sheriff to supply himself and his servants and horses with lodgings and provisions by contract, and a Special Messenger was usually deputed to treat for both Assizes. It was the duty of 'mine Host,' on these occasions, to drive as hard a bargain as he possibly could, and to urge the scarcity and high price of provisions; and for the other party to insist upon the best accommodation at the lowest rates. Master Covell seems to have understood his craft, and has indited his letter in a very praiseworthy and workmanlike manner.

"Worthie Sr.

This bearer Mr. James Walmesley hath beene with mee, and wee have in some kynd agreed for your housekeepinge and provision at both the Assizes; And for the some upon the composition (I am content at his earnest Intreaty) to let it be putt in the wrytinge noe more then the last Sheriffe had in his, onely upon this bearer's faythfull undertaking that you shall content me further that I bee noe looser.

I had a great deale of money from the last Sheriffe more then is in the wrytinge of Composition, and have had a farre greater some of other Sheriffes then of him, when all provisions both corne and other things were much more plenty, And cheaper then nowe.

Ffor all kynd of Comodities were never dearer nor worse to come by then nowe. Neverthelesse I will rely upon your noble disposition & this bearers word herein. And soe with my best respects to your worthy self I reste

Yr ever to bee comanded

Lancaster this 3rd
of Ffebruary, 1634.

THO: COVELL."

Connected with this appointment there is a correspondence with his friends in London, which is highly amusing, and somewhat descriptive of the times in which he lived ; and as it has been carefully preserved in the Treasury of the College, I shall here transcribe it, with such additional remarks as may seem necessary to its elucidation. It depicts in strong colours, on the one hand, the constant desire of the gentry of that period for armorial bearings and other distinctions ; while it shews off equally well, on the other, the pretended difficulties of the Heralds in allowing them, and the singular gravity and consequence with which these things were awarded.

On Mr. Chetham's nomination to the Shrievalty, it was thought an infringement on the ancient rights of the Gentry of the County that mere tradesmen should be thus elevated to so important a distinction ; and, although he himself was, least of all, desirous of being placed in a position so enviable to others, and conducted himself with great courtesy and humility, the honour he was supposed to derive from the office disturbed the usual good humour of his neighbours, and drew upon him the illnatured remarks of many of the old families of the surrounding district.

A favorable opportunity for scandal was not long in presenting itself. Mr. Chetham, like other persons in a similar situation, thought it right that, as Sheriff of an important county, and in order to do honour to the dignity, he should have a coat of arms put upon his banners to be carried in the procession ; and not possessing either sufficient skill in blazonry, or the usual discernment in appropriating to himself the proper bearing, he was roundly taxed with invading the rights of others, and using a coat which he had no pretence to.

The bearing which he had unwittingly fixed upon was, in reality, the coat and crest of Chadderton, and, singularly enough, had been actually assigned to him by Randle Holme, the Chester Herald ; but, as little penetration was necessary to detect so gross a mistake, no mercy was shewn him ; he was, consequently, charged with outraging the laws of chivalry, threatened with a prosecution before the Earl Marshal, and compelled to prove his pedigree and his right to bear arms.

In this emergency he wrote to his friends in London,²⁴ for their advice. They recommended an application to Mr. Chetham of Nuthurst, requesting him to adopt Humphrey as a branch of his house, and to grant him licence to bear the arms used by the elder line. Accordingly, the following certificate

²⁴ The Reverend Mr. Richard Johnson, Fellow of the Coll. Ch. and Preacher at the Temple ; and John Lightbowne Esq. of Salford, and one of Mr. Chetham's future Executors.

was forwarded, accompanied by a drawing of what was supposed to be the bearing of the Chethams of Nuthurst.

“An^o Dni 1635 June 12.

I do hereby acknolege expresse and declare to all whom it may conserne that the Ancestors of Hump. Cheetam of Clayton in the County of Lancaster Esq. was a younger brother of the bloud and lynage of my Ancestors of the House of Nuthurst, in wittnesse whereof I have hereto putt my Hand.

THO: CHEETAM.”

Wittness CALVIN ROTHWELL.

On this certificate was rudely sketched a shield containing the crest and coat of Chadderton, viz. Argent, a Griffin segreant gules, within a bordure sable, bezantee; and another with the bearing of Chadderton and Nuthurst.

These were evidently the insignia of Chadderton of Chadderton, who, as well as Chetham, had married an heiress of Nuthurst and had quartered the arms of that family.

This certificate and trick of arms were sent up to London for the purpose of being laid before the College of Arms, and of boldly reasserting his right; but they luckily fell into the hands of Mr. Johnson, (who was at that time attending the Lords of the Council on the business of granting the new Charter to the Collegiate Church,) yet, not before they had been seen by Ryley, the Somerset Herald.

Suspecting all was not right, Mr. Johnson made search in the College, and quickly found the bearing to be really that of Chadderton, and that his friend had proved no right whatever. He immediately withdrew the whole, and addressed the following letter to Mr. Chetham.

“Right Worshipfull

All due respects premised, &c. I might justly bee condemned of a pragmaticall humour, or as a busy body in other men's matters, if I had not beene intreated to yield my advise and due furtherance in the ensuing businesse, whereof I now write unto you. Sir, I perceave that some malicious knaves have endeavoured to disgrace you about your Coate of Armes, and I believe Mr. Kenion hath had an hand in it, and although you have haply heard that Mr. Harrison would befriende you, yet uppon some circumstances I doe suspect such friendship, and I doubt hee deales double, for hee that wills well to you, will not publish such a matter, as he doth, though

under pretence of having you to cleare the Right you have in the Coate you bare; and he puts out doubtful words of the great danger and Hazzard of charges which you else have incurred; But as I was permitted to see in a letter of yours, you heede not (and that wisely) noe such Calumniators which have endeavoured to traduce you, for the lesse you regard it, the better it is;—and if there bee any Error in the Coate, lett it bee in Hulme who tooke upon him to give you your owne. And for Mr. Ryely, it behoveth you to shewe him Respect as you have done, whether hee bee true or false, as I feare there is a knott, and to trust him or a least to seeme to trust him, may make a knave more faythfull. To come to the matter, I sawe a Coate of Armes sent up, and suspectinge somewhat, I made a search in the office, & it is most apparent, that the Coate is Chatterton's Coete, & the Crest Chatterton's, and that in the second place only, which is the three Phleames in the field argent, with a Crest, a Griffin currant, volant and regardant, is belonging to Chetham of Lancashire;—and that Chatterton, by reason of a Marriage with Cheetam, may beare that Coate sent up; but Cheetam cannot weare the Griffin surgerunt²⁵ & volant, nor the Crest, which is the half Griffin surgerunt & volant, nor yet the Cross.—I perceivinge this, was instructed by a Friende belonging to the Heraulds office, by noe means to shewe that Coate and Certificate, for, sayth hee, if Sir Henry St. George shall perceive that Mr. Thomas Cheetham will put his hand to a Coate of Armes, which is none of his owne, and affirme it to bee his owne, hee will give noe heed to his testimonie about the descent,—Therefore, with the best advice I could have, I have sent downe a Certifficate only, whereunto with great speed, gett Thomas Cheetam's Hand and Seale, (as before) without any armes, that you, by a lawfull discent, are entitled unto his armes; & then I make little question, but wee shall have that confirmed to you which is your owne;—Mr. Cheetham of Nutthurst can make noe scruple at this, because the Certificate is verbatim with the fformer, exceptinge these words, “as more at large is above depicted”—which we durst not raze out, and cut off the Armes, both because Royley had seene it, and for that it was sealed; neither can this trouble him, that you take a Coate which he thinketh is but part of his owne,—for so may hee also, and yett not disparage his Title to all, if he hath any true Title thereunto;—for Chatterton may weare the Crosse or Griffin, which he will allowe, or both, if he will, and Cheetams Coate also, because of a marriage.—I have sent you downe a Coate depicted which you may lawfull beare, if your descent bee

²⁵ Segreant.

proved, but Ryley maketh question of that, for that there are no such Names uppon record.—But I apprehende noe difficultie in that, for that you may bee the second Brother of a second Brother of that House, which haply are not recorded in that Office.—You, I heare, have have the Names of the Heires of that house.—Wee have put the same date as was in the former Certificate, there is no absurditie in that,—Send upp this Coate againe with the Certificate by the next—for some of Ryley's acquayntance which I have named, are the Reporters of greate words. I knowe not what farther say in this Businesse, but that you doe well to neglect all & take noe notice:—I feare there will bee more charges than you expect,—God be with you and prosper you,

Your Worppps in all due Service,

RICHARD JOHNSON.

They nowe pretend some Gentlemen in the Countie are aggrieved and will have the truth tryed, but all I thinke is knavery.

I goe next Sunday to Hampton Court to y^e King about the Warden & Charter.

Sept: 17th 1635.”

From Mr. Lightbowne he also received the following in answer to several letters requesting his advice how he should proceed.

“Worthy Sir

Premise, I pray you, the remembrance of my obliged Duty unto your best deserving self, &c.—I have received your twoe or three Letters since I wrytt unto you:—My desyre to certify you of our Proceedings with the Herald, occasioned my hitherto delay. I am right sorry I cannot now wryte of our accomplishment thereof,—for wee repayred to Reyley, but the truth is, as yet we have not, neither durst wee adventure to doe any thing, for soe 'tis, may it please you, that upon Receitt of your armes and discent, wee shewed them to Reyley (of whose faythfulnesse herein we are not altogether assured) who made some doubt whether Sir Henry St. George, Kinge of Armes, for that Province, would allow that Certificate from your Cosen Cheetam, (for he sayth, an acknowledgement of consanguinity is not sufficient in Extremity, to intereste you in his Armes, without the Herald's consent,) hee further sayth, hee may enforce you to prove it more precisely by deeds or other testimony:—But for that our Answer was, wee made noe scruple of Probate thereof, and further that wee were confident more evydence would not

need:—Next he sayd, those armes did not agree with their Records, which uppon Serch in the Office wee likewise found different, for you gave the Chetam's and Chaderton's, with Chaderton's Crest, and their Coate likewise in the first place.—And another coate wee found quartered with yours, which for ought wee could find, neither belonged to Chetam nor Chaderton, as I take it.—Things thus happenynge, wee thought it best to desist, until we heard further what your Cosen Chetham can produce in Mayntenance thereof, for about three or four and twenty years agoe there was a Visitation in Lancashire. Soe that perhaps your Cosen Chetam hath some confirmation from them in his keepinge, that may cleare you: but wee can find nothing here for that purpose. 'Tis probable your Cosen Chetham would not encourage you to give those Armes without some confidence of his Title, and I remember when I last saw you in the Countrey, you were resolved to make choyce of the Paternall Coate of the Chetams, which I am persuaded you might lawfully have done. But now 'tis past, wee must endeavour to make good the other alsoe, else wee fall within their censure, which may bee for ought I can heare, almost as themselves please, if you fayle in Prooffe, wee must bee forced, I feare, to Composition.

Wee have advised with Mr. Johnson, who hath freely expended his Paynes with us about it, but wee cannot well tell what to doe, until wee hear from you, which wee desyre may bee with what convenient speed you can.

I will bee bould to propose to your approbation a way, which, if the Worst happe, (if you shall like it) may please you.—The Earle of Arundell, Lord Marshall, sits as Judge in those Businesses, and my Lord Chiefe Baron²⁶ is very gracious and intimate with him, and one word or lyne from him might, I perswade my selfe, appese & quyett this Perturbation: Your good service in your office may be suggested, and your care and charge in this great businesse of the Shippes: And that what you did was by direction of a Deputy Herald, and by the Relation of your Kinsman, from whose Ancestors you discended.—I am the boulder to mynd you of this Course, because both your Creditt may be conserved, and your Purse preserved, & your Enemyes may not prevayle against you, (for Reyley said, the Gentry of the Countrey would expect a strict prosecution from the Heralds,) however it may bee as private as you please, for I shall not mention it to any, neither have I to your Cousen George, or Mr. Johnson. But my Lord Chiefe Baron's letter or word to the Earle Marshall would, I doubt not, prevayle for a lettre or word to Sir Henry St. George to surcease herein, and if it could bee before Terme, that our Country Men were

²⁶ Sir Humphry Davenport, Kn^t.

come up, it were better. Soe submitting my self & Service unto your courteous acceptance, with a hartie desyre to imploy the best of my Ability in the accomplishment of your Commands—I commit you to the Guard and Guydance of God Almighty—ever restinge,

your Servant

J. LIGHTBOWNE.

From my Chamber over the Chappell at Graye's Inn
the 18th of September
1635.

We have sent you downe the Paternall Coate, but you need not shew it Mr. Thomas Chetam; only gett him to subscribe to your discent, and send it with all expedition, and for the use of the other Armes we shall doe the best wee can. I had rather they would confirme theise Armes in manner as you used them at the Assizes, because those that wish you ill, might soe bee prevented of their purpose. Altho it cost you a little more money. I pray you wryte what you desyre to bee done with what speed you can. And in the meane tyme we will endeavour that nothing be done against you here.

To the Right worth his worthy frend Humphry Chetam Esq.
High Sheriffe of the County Palatine of Lancaster
at Clayton his howse near Manchester, these present."

In the interim application had been made to Mr. James Chetham of Crumpsall, elder brother of Humphrey, for a certificate, with the view of connecting the Crumpsall branch with the original house of Nuthurst; his memory, however, was not able to carry him so far back, and he accordingly contented himself with setting forth the descent of his own family, from the time of his great grandfather Edward.

The certificate which this gentleman supplied is the following, taken from Harl. MSS. 1987, p. 80.

"June 20, 1635.

James Chetam of Croomsall, aged about three score & 9, eldest brother of Humphrey Chetam now Sheriff of Lancashire, reckneth his pedigree as followeth.—

Edward Chetam, my Great Grandfather, had issue James, and another sonne, but his name I remember not.

Edward died without issue, & Henrie, his second sonne and my father, had issue myselfe, James, Edward, George, Simon, Humfrey now Sheriff, and Raph, and 2 daughters, Anne and Alice.

James, myselfe, now living, and eldest Son, have had issue Edward, George, Henrie, Edmund, James, Humfrey, & Edmund, and daughters likewise 2, Jane & Isabell.

Raph, a younger brother of me, James, had issue George, Raph & Humfrey, and 3 daughters, to witt, Marie, Margrett & Elizabeth.

p. me JAMES CHETAM."

This was supported by a more formal certificate from Mr. Thomas Chetham of Nuthurst, omitting the drawing of Arms, as before sent up, but at once adopting the Crumpsall line, though vaguely and without fixing upon any direct period. It was as follows,

"To all and singlar person or persons to whom this present writinge shall come to be sene and read, Greeting in our Lord God everlasting ; Know ye that I, Thomas Chetam of Nuthurst in the County Palatine of Lancaster, Esq., at the instant request of my Cosin Humfrey Chetam of Clayton, Esq., now High Sheriffe of the said County, (who being desirous to know the truth of his branching from my House of Nuthurst aforesaid, has desired from me a full publication thereof,) to perform his reasonable request therein, as well as to satisfie all others, whom any way it may concerne, I do hereby signify, express, & declare that the foresaid Humfrey Chetam is younger brother to James Chetam of Crompsall, in the County aforesaid, Gentleman, son and heir of Henry Chetam, son and heir to James Chetam, son and heir to Edward Chetam, a second brother of the bloud and lynage of my ancestors of the house of Nuthurst aforesaid, lawfully begot, as by my evidences more fully may appear ; so that I acknowledge the said Humfrey to be a kinsman of my bloud, according to the proof of the premises ; and do hereby give consent and allowance, that he shall and may without any prejudice to me or my heirs, lawfully bear my arms & Crest, in all places, and on what occasions he pleases, with the difference of a second brother, surmounted by his own difference of Consanguinity.

In witness whereof I have hereunto set my hand and Seal of Armes, the 4 day of August, in the yeare of our Lord God 1635, and in the 10th yeare of our

Sovereign Lord Charles, by the Grace of God, Kinge of England, France, & Ireland, Defender of the Faith, &c."

Sir Henry St. George and his Heralds still remained proof against these certificates, and declined allowing any of the Chetham families to bear the arms as set out either by Randle Holme or themselves; but the interest of the Lord Chief Baron with Sir Henry, through the Earl Marshall, seems greatly to have expedited the matter, and to have induced the Gentlemen of the College to relent somewhat in their resolves.

Accordingly, on the 10th of November following, a letter was received by the worthy Sheriff, full of the consequence of a person who has perfected a business of moment. In this, however, it is plainly apparent that the Heralds carried their point of making out a fresh patent, and, thereby, of securing their fees, which, in the granting of arms, is an important part of the ceremony. They were aware, doubtless, that the Chetham family could have no interest whatever in the Chadderton Coat, except by marriage, and, in that case, could not carry the bearing, as their own, in the first quarter:—but, seemingly, to yield to their wishes, and at the same time to effect a new patent, the College granted these very Chadderton arms and crest, with a slight distinction, and made out the pedigree from the actual certificates which had been forwarded by the heads of the Nuthurst and Crompsall houses.

These matters Mr. Lightbowne communicates in the following letter to Mr. Chetham, enclosing his "bill of costs."

"Right worthy Sir,

My best observance of your good worshipp premised, &c. Wee have now at last, (God bee thanked), notwithstandinge the multiplicity of delayes and difficulties, perfected your business with the Heralds to ours, and, wee hope to your good likinge.

The Pedigree and Armes, approved and confirmed by Garter and Norroy Kings of Armes, you shall receyve from your Cosen George; the Coate differeth nothings from the former you bore at the Assyses; onely upon the shoulder of the Griffin on the Crest, they have putt the Crosse which is parcell of your Coate. It is no disparagement at all unto the Armes, but only to distinguish it, for it is borne by another; and Sir Henry St. George sayd your Cosen Chetham of Nuthurst cannot beare that Crest;—and therefore you shall perceyve it in your Coate without halfe moone or other difference of younger House; But onely at our Entreaty because we would have soe little difference

as might bee, hee hath given it to you *de novo* ;—You may add what Motto you please, for they say it is noe part of the Armes, otherwise wee would have had it subscribed.

They called upon your Cosen George to take out his Armes, because the Visitation for London is not yet compleated, who hath done accordingly, as you may perceyve by the Addition in your Pedigree ; It cost him XXX^s.

* They may make use of them with their due differences of Sexe and Age. { Wee moved to have your Brother Raphe's Children* putt in, and could not prevayle ; but they could not come to you without naminge your Brother James, being elder brother.

Sir. H. S^t George sayth your name is *Chetham*, with two H and one E, and soe would bee written.—Wee were with my Lord Chiefe Baron, and shewed him the Pedigree and Armes, who liked it very well. And we gave him Thanks on your Behalfe.

Wee advysed with Mr. Wood what was fit to bee done to Sir Henry for effectinge it, who tould us wee could not give him noe lesse then Ten pieces, (for it was in a generouse way, and therefore wee might not bee too sparinge,) which we accordingly did ; and wee hope Sir Henry is well content, though hee sayd hee hath had XXlb. for the like, but because you were my Lord Chiefe Baron's ffriende, hee said hee was well pleased with it ; Though I thinke if other Ten pieces had beene offered him, hee would not have rejected them. And he procured the approbation of Garter principal Herald.—Mr. Wood advysed us likewise to give unto Reyley 4 or 5 pieces, in respect he had tooke much paynes about it, and that my Lord Cheife Baron had used him as an Instrument to bringe Sir H. S^t George unto him, and that Reyley had beene many times with my Lord about it : And Sir Henry S^t George tould us that wee were much beholdinge to Reyley for his care herein :—And to say the truth, hee hath expended much paynes about it ; Soe that wee gave him three pieces, besides one peice inclosed in your Letter before, when Mr. Johnson was in Towne. And wee gave Mr. Wood twoe Peices for his care and paynes herein, Besides about 3lb. for serchinge the Records, drawinge of Armes, transcribinge of the Certificate and other Charges, &c. About XX^s of it was layd out before Mr. Johnson went out of towne. Soe that in the whole it hath cost about XIX^{lb}.—I am sorry to make you soe long a bill, but hartily glad it costs noe more.

Thus farre, worthy Sr, wee have adventured, presuminge upon your acceptance & approbation. Wee have left your name ho^{ble} in the office of Armes :

And Ryley protests hee will proclayme & maynetayne your noblenes against all opponents. Wee will endeavor hereafter to know who gave information against you if we can. Though for my own parte, I retayne my first opinion.—I protest I doe not knowe wherein wee could have beene more sparinge with out ecclipsinge your glory ; And fewe ever hold it more conveyent that you suffered in your purse, rather then in your reputation and creditt. It beinge that you have carried yourselfe soe nobly at home wee might not disgrace you by being too tenacious abroade, and especially in this generouse and extraordinary way, and the rather wee enjoyinge our owne desyre in all things to the utmost.

What wee did was by the advyse of Mr. Wood, who I persuaide myselfe doth really respect you, and did direct us in his best discretion, without any sinister respect, unto whom you may give thanks when you see him, for hee was careful to mind his Lord of it, and to call unto Sir H. St George concerning it. Wee did not deliver your letter to Mr. Wood because wee were growen to an agreement before. I have beene too tedious in this (I hope unecessary) apology, but my desyre to satisfy you particularly of all things, with the reasons thereof, hath made me thus prolix. Yf wee have erred in any thinge it hath beene out of our desyre to honour you. And if wee have displeased you in anythinge it hath beene out of our hasty endeavor to cleare you.

I thinke you may doe well to have your armes drawen & sett in a faire frame and hanged in your Hall or parlour, That such spectators that have heard hereof may take notice you did noe more then what you have justified. Mr. Johnson may thinke of some pretty motto.²⁷

The constant reporte is in London that the Kinge will pricke noe Sheriffes untill next Terme at soonest, because untill the Shipp money bee collected His Matie will not discharge the ould Sheriffes.

I imagine the reason is to hasten the Sheriffes payment. I suppose you may doe well to have yours ready y^e next terme ; I shall be hartily sorry for your trouble this Christmas. The change I persuaide myselfe you will not soe much regard, though I must confess two Chrismasses in one Shrevalty is unusuall.

Soe humbly submitinge my Selfe and Service to your courteouse acceptance,

²⁷ It is extremely probable that the worthy Sheriff, having found such difficulty in reinstating himself in the legal possession of his family bearing, may have been struck by the force of the well-known adage, "get what you can, and what's got fairly, hold ;"—for, with reference, undoubtedly, to the lengthened debates between the Heralds and himself, and Mr. Lightbowne in London, Mr. Johnson appears to have chosen the latter part of the sentence—"Quod tuum tene."

I cease to bee further troublesome unto you at present, And with my prayers to God for y^r health & happiness, take leave ever restinge, (till I must for ever rest)

At y^r worpp Comand

Ffrom my Chamber over the
Chappell in Graye's Inne
10 November 1635

J. LIGHTBOWNE.

Postsc.—Your Cozen George shewed mee your letter yesterday wherein you desired to bee acquainted when the payment of the shipp money will bee expected. I suppose your day is prefixed in your writt, or else you will receyve further order by letter; I shall certify you as I can understand hereof. I know your desire will bee to bee one of the first, but the last tyme wee were so forwards that wee made way for all the rest, which was most difficult to us, for wee were before the Lords about it.

13 Nov.—The Lord keepe you.

I pray you present my service and best respects unto your brother James and Mr. Johnson.

To the right worth and his worthy friend
Humfrey Chetham Esq. High Sheriffe of the
County Palatyne of Lanc these present."

A letter in reply to the foregoing appears to have expressed Mr. Chetham's opinion that his friend had 'paid too dear for his whistle,' for, says he, "when the Heralde meets with a Novice, he doubles his gayne." He afterwards draws a facetious comparison between the metal in which the arms sent to him were depicted, and that in which payment for them was made. This letter would have been a curiosity, but, unfortunately, it has not been preserved. The answer, however, reflects its genuine humour in a favorable light.

"Right worshipfull & right worthy Sir,

My best observance premysed, with my Soule's-Suyte for your Health and Happiness, &c.—I have received your letter, and am right glade to heare the Armes content you. You wryte, "they are not depicted in soe good Mettall as those Armes wee gave for them." If you meane as those Armes which you sent up, I conceyve there is noe difference, save only in the Crest, as I writt before;—if otherwise, wee can cause them reformed:—if you meane as the Peices of Gould wee payd for them, I easily assent, for there is soe

much difference as betwixt Paynter's Gould & Current Coyne. But you wryte, the Heralde will double his gayne when he meets with a Novice,—I proteste I consulted with myselfe, with you kinsman Mr. Wood, accordinge to your Directions, and others experienced in that way—And they thought lesse could not bee tendered for a Pedigree; and beinge out of Visitation, and that you had made bould with another's Crest;—And to say the Truth, I cannot yet satisfy myself how those Armes doe belong unto Nuthurst, for the Records were to the contrary. But I durst not question that, wee are apt to believe things for our Benefitt. Mr. Johnson could tell you how he lefte it, and how himselfe offred Sir Henry St George Xlb. who would not take it; And wee could not offer lesse afterwards, though we made use of my Lord Chief Baron. Certeine I am, Sir Henry St George was expectant of more; but I hope you are well content with my Endeavour.—Though I bee a yonge Man, yet I hope that did not disadvantage you at all.—An elder Sollicitor might have fared worse.

Laudatus abundè

Si fastiditus non sum.—

From my Chamber on the
Chapell in Greye's Inn
9^o December 1635.

Your wor^{pp}s in all
obligation of duty
and Service

J. LIGHTBOWNE."

From this correspondence the following conclusions may be drawn:

1st.—That Humfrey Chetham, when Sheriff, was anxious to prove his right to arms, but that his brother James Chetham's memory could not give the connection with the elder or Nuthurst line.

2nd.—That Thomas Chetham of Nuthurst was courteous enough to call the Chetham, with whom James's memory failed, "a second brother of the blood and lynage of his Ancestors;" but that he could not identify the Chetham of Nuthurst whose brother or son he was.

3rd.—That, from the entries in the Visitations of 1613 and 1664, the Heralds were equally courteous and equally ignorant, and that the origin of Chetham of Crompton yet remains to be proved.

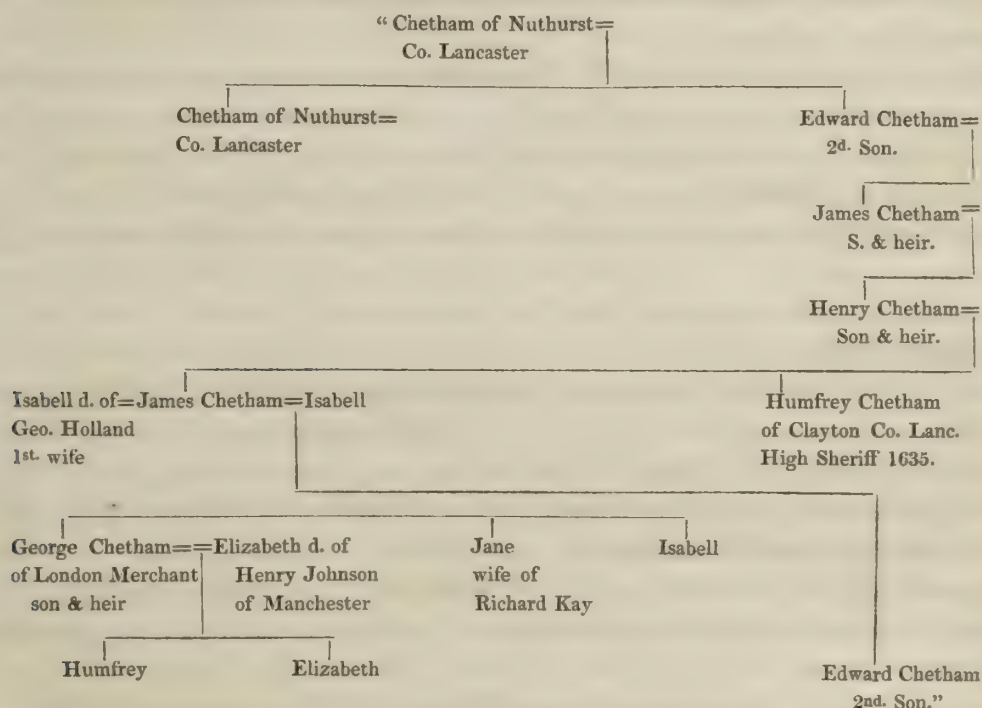
Next, with respect to the armorial bearings;—It appears from evidence, that Trafford of Trafford used and still uses a Griffin gules;—and that Chadderton of Chadderton was a male line of Trafford²⁸;—and it is supposed, that Chadderton of Nuthurst was a branch from thence.

²⁸ Geoffrey, second son of Richard Trafford of Trafford, Co. Lancaster;—He received from his father the Manors of Chaderton and Foxdenton, temp. Hen. 3rd.—He is also called Geoffrey de Chadderton.—(MSS. of CHARLES CHADWICK, Esq., of Healey Hall.)

It appears also from the Harl. MSS. 1549, that Nuthurst was divided between Chetham and Chadderton in or about the year 1613, each of which quartered the arms.

From this I conclude that Chadderton of Nuthurst at an early period divided into two branches, and that one of them had an heir general which married Chetham; and that Chetham, with reference to the descent in the female line from Chadderton, antiently Trafford, adopted the Trafford Griffin in the first quarter, differenced by the bordure bezantée.

The table of descent accompanying the patent of arms, granted to Humfrey Chetham in 1635, I have found in the Harl. MSS., "allowed, approved, and confirmed, under the hand of Sir Henry St George Kn^t, Norroy King of Armes," as follows,—



The following trick of arms is in Mr. Barritt's Collection in the College Library.

"Insignia Edwardi Chetham de Chetham, in Com. Lanc. Generosi.

1st. and 4th.—Argent, a griffin segreant gules, within a bordure sable, bezantée,—Chetham.

2nd.—Argent, a chevron between three nuthooks sable, 2 and 1,—Nuthurst.

and 3rd.—Argent, a cross potence gules,—Chadderton.

Crest. A demi griffon Segreant, gules, charged upon the shoulder with a cross potence sable.

Motto. Quod tuum tene.

Entered in the Visitation of Lancashire at Salforth, 10 Sep^r 1664, by me
WILL: DUGDALE, Norroy King of Armes."

In addition to former grievances the English Coasts were much infested with pirates, the Turks and Algerines, as well as the Dutch, gave great trouble at sea, the fisheries were destroyed and many ships of war taken. By the advice of the Privy Council a levy or tax was resolved upon for providing a fleet;—the writs were in the first place issued only to maritime towns and cities, but that not affording a sufficient supply, others were sent throughout England, and a general levy ordered.

The late Sheriff, Mr. Standish, had already received these writs from the Council Board for the first levy, but his period of service being now expired, he claimed his quietus est, and handed over the documents to his successor.²⁹

On the 12th of December, therefore, Mr. Chetham received the following letter, announcing his appointment as Collector of the first levy of Ship-Money for the year 1634.

"Right Worth

My love and best respects ever pmised, wishinge all health and good successe to attende you. S^r I lately receaved his Ma^{ties} commission concerninge a Contribucon to bee made for the provydinge of a Shipp of Warr, with other necessaryes and provission for the same, together with a letter from the lords of his Ma^{ties} most ho^{ble} Privye Councill, both w^h I have herewith sent unto yo^u, haveinge nowe noe ffurther power to procede in them, In that I have receaved his Ma^{ties} writt of dischardge for my late Shrevalty. I hadd ppared lrs to the Shreaves of other Countyes and Mayors of Corpracons which are to joyne in this waightie Sirvice. But knowinge that you have entred into the execucon of your office & place, And havinge receaved my dischardge, I could prociede no ffurther, But doe leave the same unto your good Indeavors, And doe advertyse and Intreate you will bee pleased to make yt the ffirst occasion that you ffall on, yt beinge a service of so great waighte and Importance requiringe a Speedye execucion, Wherein I should advyse you psently to write and send to the Sheriffe of Cheshire, to the Mayor of the City

²⁹ The writ and warrants relating to this service are given in Appendix No. 1.

of Chester, to the Sheriffe of Cumberland, to the Mayors of Lyverpool, Lancaster, and Carlile, and to the rest with whom you are to Joyne, to the end you maye give them a meetinge, and so Joyne with them in those proceedings for this greate and waightie service, wherein I make no doute but your good Indeavors will appear in yor good Alacrety & forwardg. And ever so leavinge you to gods holly ptexion, I remayne,

Your assured ever lovinge
ffrend

Standishe
12^o November
1634.

RAUFE STANDISHE.³⁰

To the Right worth. his very lovinge ffrend
Humffrey Cheetam Esq. high Sheriff of the
County palatyne of lancaster, hast theis."

Mr. Chetham received the writ on the 13th December, upon which he makes the following curious comments.

"The firste thinge considerable in the Writt is to consider how much moneys will purchase a Shipp of such a burden. For this there must be Repaire unto some Ship Maister or Marinor for their Decision.

The second thinge is to aporcion or rather proportion the same Moneys equally; for this methinks the Mayors of everie Town should eyther by some ancient Rule or Tradicion give some direction what and how much evrie of the said Maratime places ought to pay.

And what parte thereof the Townes within the County of Lanc. ought to pay, for if you shall tax and asseesse Men accordinge to their Estate, *then Liverpoole beinge poore & now goes as it were a beginge,*³¹ must pay very little, *Letters patent are now sent for the same Towne.* And if you shall tax men according to their tradinge & Proffitt by Shippinge, *then Lancaster, as I verely*

³⁰ It is rather remarkable that this letter is sealed with the arms and crest of Mosley.

³¹ It is a very curious and instructive commentary upon this part of the worthy Sheriff's letter, to observe a comparison between the present flourishing and opulent port of Liverpool and its appearance at the time he wrote; when the town was poor and went, as it were, a begging, and letters patent, even, had been issued for the purpose of collecting charitable contributions for its relief. The ports of Lancaster and Chester, too, which had hitherto been the chief exit and entrance for merchandize on the north-west coast, seem to have already given way to the Welsh towns; and these again, in their turn, at a subsequent period, have yielded the palm of commerce to the great Emporium on the Estuary of the Mersey.

thinke, hath little to doe that waye.—And alsoe I thinke that the Townes in Wales cannot but be of greater Estate and Tradinge till eyther Chester or Lancaster.”

The Lord Privy Seal and the Lord Keeper were required to direct the Judges to promote the levying of the Ship-Money during their circuits, and to persuade the people to a ready obedience of the writs. In this task, however, great difficulty was discovered.

The Privy Council addressed letters to the Sheriffs of counties, with their directions touching the levying of the tax, and pressed upon their notice the necessity of equality and fairness in proportioning the amount to the various classes of His Majesty’s subjects, ordering, at the same time, that favor and indulgence should be shewn to the clergy.

Notwithstanding these advices, the people generally were disinclined to the levy, and many expressed their hatred against what they termed an illegal imposition in very unequivocal terms.

By the help of this money a fleet of forty sail was prepared under the Earl of Lindsay, as Admiral in command; and the Earl of Essex, as Vice Admiral, had a fleet of twenty more, for scouring the narrow seas and protecting the trade of the kingdom. Some few Dutch ships were taken or sunk, and submission having been exacted, leave was granted for a renewal of intercourse.

Before the discontent of the nation had had time to subside, and the pressure of the public burthens had ceased to gall their shoulders, the Privy Council resolved upon a second levy, and the necessary documents were issued to the Sheriffs accordingly.

On the 4th of August, therefore, Mr. Chetham received his writ, appointing him collector of the second levy for providing a Vessel of 350 Tons.

The arrival of these writs in the country was the signal for tumult and disorder;—Mr. Hampden, a gentleman of family resident in the county of Buckingham, set the example by openly declaring the illegality of the tax, and several of his friends, men of eminence and weight in the state, refused payment.

The point in dispute was referred to the judges, who declared for the King, and voted his Majesty power to compel, in case of refusal, by distraint on the goods and chattels of the refractory.

Order was given for procedure in the Exchequer against Hampden, where he pleaded, and the crown lawyers demurring, the matter was heard before the King in council. Judgment was given for His Majesty, but the defendants were

dissatisfied with the verdict, and continued for some time in opposition, yet were at last obliged to yield, the matter, however, remaining *altâ mente* *repositum*.

The writ and warrants relating to this second levy may be seen in Appendix No. 2.

Mr. Chetham was further nominated High Collector of the Subsidies, granted in the year 1640, by three of the Commissioners appointed by His Majesty for rating and assessing the county of Lancaster, "dated at Chorley 29 April 1641."

The documents relating to this Commission may be referred to in Appendix No. 3.

The design of James the 1st to bring the Kirk of Scotland to a conformity with the English ritual had long since sown the seeds of discord between the two nations; and Charles, in prosecution of his father's intentions, directed Archbishop Laud to prepare a service book, which was forthwith despatched to Scotland.

This act of religious interference enraged the people;—they rose tumultuously in the Cathedral of Edinburgh when the Dean attempted to use the new form, and, an attempt at explanation creating an uproar, the bishop finally escaped from the church at the risk of his life.

The well known disputes between the King and the Covenanters followed, and the Marquess of Hamilton was sent as High Commissioner to Scotland for settling the affair, but returned without success. Having received new instructions, his lordship was again ordered to Edinburgh; his proposals, however, were declared destructive of the people's liberties, the new form of worship was excepted against, and the Commissioner returned a second time to England.

In the meantime the Covenanters began to levy soldiers, to impose taxes, to raise fortifications and to prepare for war.

The King, also, perceiving that the Scots intended to oppose him, was advised by Archbishop Laud to put himself in a posture of defence. He ordered immediate levies of men and money, to which the bishops largely contributed, and the army marched to York, under the command of the Earl of Arundel, and was there met by His Majesty, from whence they proceeded to Berwick.

The English army presenting a formidable appearance, a council of war was summoned by the Scots Commander; overtures of peace were immediately offered to the invaders, while the most earnest persuasions were used to prevent the King from crossing the borders, in descent on the Scottish frontier.

The following speech in council by the Duke of Lennox, preserved among the Chetham papers, in the Treasury of the College, is here inserted, as a valuable and curious document, illustrative of the oratory of the times.

“Most gracious Sovereign,

I am not altogether insensible of the nature of that business whence I am called to give my advice, I know I shall suffer herein disadvantage by reason I am a Scot by nation and education, and the best blood that runs in my veins have I extracted from thence. What I shall now speak *ex animo* and not *ex cute* some may haply impute as proceeding from strength of affection to that place and people from whence I came: but I do protest my zeal to your Majesty shall at this time suspend the agitation of such principles, and I will set aside all particular relations, and look upon the question as it is, and not as passion and affection may set it forth. The question is concerning war: an unknown subject, and sweet to those only that have not tried it. The worst of war is usually in the close, and oft in the conclusion; of the most advantageous war that ever was, when all reckoning be cast up, the conqueror hath but little whereof to glory. But this is not of a war betwixt a King and strangers, but betwixt a Sovereign and his Subjects, a near relation, and they had need to be weighty motives that dissolve this knot. Subjects are easily lost, we see it is the work of every day, but being once lost, are hardly regained. Affections are like chrystal glasses, which being once broken, no art can cement, nor solder again. But those are not such subjects as the kingly prophet spake of. A people whom I know not shall be subject unto me, but your Majesty may say of them as Adam of Eve, that was formed out of his ribs, this is flesh of my flesh, and bone of my bone; or rather as David of his subjects in the day of his inauguration, for my brethren and companion's sake, your Majesty being theirs, and they yours, by a double tie, you are not only *Rex factus*, but *Rex natus*, and therefore the union being so straight, the motive had need be weighty that shall cause a man to set his own house on fire, and destroy the work of his own hands. Now let us consider of two things, first, the necessity of the war, 2^d the motives of it, whether they be tanti, of such moment, that a king should hazard the uncertain chance of war, and the miseries that accompany it rather than forego the same. For the first, It is a good note of Tacitus, that *bellum* should be *ultimum refugium*, the last, because it is the worst refuge. And if wee consider of the wisest kings that ever wore sceptre in later times, how willing they have always been to decline the shoar of war, almost upon any terms. If your Majesty but consider the practice of Lewis the 11th and of our

Henry the 7th, than which two England and France in the large list and catalogue of all their kings cannot point forth two of more deep and profound judgment, and better versed in the mysteries of government, yet what means did they use, or rather not use, to divert the course of war, if at any time it did run within their channels, they counted it no dishonour to yield to their subjects demands tho sometimes unjust and unreasonable, nay, themselves to be the first seekers and compounders of peace. And so by this means, when the storm was over, and things came to be debated upon a green carpet, they were masters of their own ends, and their subjects' affections, and obtained the victory without striking a stroke. These wise kings considered that the end of war is uncertain, and the event various, and he that commits one error in the war, especially when the seat of it is in his own kingdom, seldom lives to commit a second. We need not go far for instance, R. 2. and E. 2. will be truest precedents to any that will desire to buy experience hereof upon such dear terms as they did.

It should be in the body politic, as it is in the body natural. Phlebotomy should never be used, but when the humours are so predominant that no other course will remove them, and that unless they be expelled, they will occasion dissolution incontinent. But blessed be God, here is no such necessity in this case. There are some tough humours in the body politic, (it cannot be denied) and some (it may be) work obstructions in some of the lesser pipes of government, but yet vena basilica and vena cava are free, and their royal spirits in them have their proper influence and motion without any opposition.

What is now to be done, force is not fit for every subject, some humours are expelled by lenitive means, whereas purgations make them the more malignant. There are as yet three means to be used, which have not yet been tried, any of which is better than the means now prescribed, first, remove the occasion, this can be no impeachment to the Sceptre, the wisest kings have had their oversights in government, which a wiser day hath taught them to recall. Your father reigned gloriously, and commanded the affections as well as the bodies of the Scots, yet he never sought the obtruding of minimis et infimis, yet no man, was more zealous of kingly government than he. It is an act of extremest folly to hazard the substance for a shadow not worthy the contending for, and if your Majesty were master of your desire, it would not add a cubit to your stature. 2^{dly} If this like not, let time work it forth, and by this means they will either swallow the book, or endure the proposal of it with less rigour; distasteful things work most at first, less afterwards by degrees, your Majesty may hereafter work them to that which for the present they will rather die than

embrace. Wee see how the Romans by degrees brought a royal slavery upon all the world, which if they had at first propounded in downright terms, had hardly been accomplished, if ever. So Norman William brought the English to wear the yoke, which, if it had at the first been tendered, he must either have missed of his aim, or had no people upon whom to impose it, so impatient were the English then to hear of a Conqueror, or to be branded with the name of a conquered nation. We see the way to conquer is sometimes to fly, what if your majesty should seem to yield in these things to the Scottish demands, and give them the advantage of a foregame: Cannot your Majesty remove the obstacles by degrees, turn the humour some other way, wait for a more seasonable opportunity to strive in these things by instruments more fit and less subject to exception. The proposal of this course I should hold more certain, more safe, and more secure than that cruel one of the sword, which knows no law but this, The sword devours one as well as another; and I hold that kingdom most miserable that is enforced to make use of a remedy which is worse than the disease.—Thus much for the first, there is no necessity of war, *rebus sic stantibus*.—Secondly, these things in agitation are not tanti, of such weight, as should require such a desperate adventure as to hazard a kingdom at a cast for the gaining of them. Plutarch wisely compares those that know not how to proportion the means with the end to such as fish with a golden hook, the loss of the hook is of greater consequence than the fish they can take. Truly to speak plainly what I think, they that advise war in this case, know not what it is to get, nor care not greatly for the loss of a kingdom, so they may play their own game, and fish in troubled waters. Such counsellors as these were the Bishop of Ross to the late Queen of Scots, and the Bishop of Deux Deux to Sadislaus the miserable King of Hungary, who were the occasional cause to bring the Turks into Hungary, and the French into Scotland, two guests that both the nations have cause to wish they never knew the way thither again.

The reasons which have been made to persuade to war, I will not now answer, but leave to him that is better able and more fully instructed for such a purpose. Wherefore considering, *nulla salus bello, nulla necessitas belli*, my advice to your Majesty is not to use war, but when the end is either a certaine or a probable peace, and when there is no way but that only to obtain it. In this advice though I displease others, yet I shall please myself, because I have spoken as I think, and preserved the bird in my bosom. And I hope your Majesty, whenever your Majesty is necessitated to draw the sword in a just war, I shall be as ready to do your Majesty service, as they are which now talk much of war, but neither know when to begin, nor greatly care when to end."

Articles of pacification were hereupon drawn up and concluded, of which the following document, also repositied in the Chetham Collection, is a copy.

“Articles of the peace between his Sacred Majesty and his Subjects of Scotland, concluded upon in the Lord General’s Tent at Berkes upon Tweed, near Berwick, June the 17th Anno Dni 1639.

Present, English
Commissioners.

His Majesty’s

Lord General, Lord Lieutenant General,
Lord General of the Horse, Lord High Chamberlain,
Earl of Berkshire, Marquess Hamilton, Earl of Salisbury,
Mr. Treasurer, Mr. Secretary Cooke.

Present, Scottish
Commissioners.

Earl of Rothes, Earl of Dumfermline, Lord Loudon,
Sheriff of Tiviotdale, Alexander Henderson, Archibald Johnson, Jn^o Smith, Provost of Edinburgh.

We having considered the papers and humble supplications, presented to us by those of our Subjects of Scotland who were admitted to attend our pleasure in the Camp, and after a full hearing by our selves of all they could say or alledge, thereupon having communicated the same to our Counsel of both Kingdoms upon mature deliberation with their unanimous advice: We have thought fit to give this our good and gracious answer. That though we cannot condescend to ratify and approve the act of the pretended Assembly at Glasgow for the reasons contained in our several Proclamations and for many other grave and weighty considerations which have happened both before and since much importing the honour and Security of that true Monarchial Government lineally descended upon us from so many of our Ancestors yet such is our gracious pleasure that notwithstanding the many disorders committed of late, we are pleased not only to confirm and make good what our Commissioners have granted or promised in our name, but also are further graciously pleased to declare and assure that according to the petitioners’ humble desires all matters Ecclesiastical shall be determined by the assembly of the Kirke, and matters civil by the Parliaments and other inferior judicatories established by law accordingly shall be kept out a year or as shall be agreed upon at the general Assembly. And for settling the present distractions of that our ancient kingdom our will and pleasure is that a free general Assembly be kept at Edinburgh

the sixth day of August next ensuing, where we intend, God willing, to be personally present, and for the legal indiction, whereof we have given order and command to our Counsel: And thereafter a parliament to be holden at Edenburgh the 20th day of August next ensuing for ratifying of what shall be concluded in the said assembly, and settling such other things as may conduce to the peace and good of our native kingdom, and therein an act of pardⁿ and oblivion to pass; And whereas we are further humbly desired that our ships and forces by land be recalled and persons goods and ships be restored: We are graciously pleased that upon their disarming and disbanding of their forces, dissolving and discharging all their pretended tables and conventicles, and restoring to us all our castles forts and Ammunitions of all sorts, and likewise our Royal honours, and to every one of our good subjects their liberties lands houses goods and means whatsoever taken or detained from them since the last pretended general assembly, we will presently thereafter recall our fleet, and retire our land forces, and cause restitution to be made to all persons of their ships and goods detained or arrested since the aforesaid time whereby it may appear our intention in taking up of arms was no way for invading of our native kingdom, or to innovate the Religion or laws; but merely for the maintaining and vindicating of our royal authority, and since that thereby it doth clearly appear that we neither have nor do intend any alteration in religion or laws, but that both shall be maintained by us in their full integrity; We expect the performance of that humble and dutiful obedience which becometh loyal and dutiful subjects: And as in their several petitions they have often professed and as we have just reason to believe that to our peaceable and well affected they will be satisfactory so we take God and the world to witness that whatsoever calamities shall ensue by our necessitated suffering of the insolencies of such as shall still continue in their disobedient courses is not occasioned by us but by their own procurement.

Articles the same day agreed upon.

1. The forces of Scotland to be disbanded and dissolved within forty eight hours after publication of His Majesty's declaration agreed upon.
2. His Majesty's Castles, forts and ammunitions of all sorts and Royal Honours to be delivered after the said publication so soon as his Majesty can send to receive them.
3. His Majesty's ships to depart presently after the delivery of the Castles with the first fair wind and in the mean time no interruption of Trade or fishing.

4. His Majesty is graciously pleased to cause to be restored all persons goods and ships detained or arrested since the first of february last past.
5. There shall be no meetings, treatings, consultations, or convocations of our lieges but such as shall be warrantable by act of parliament.
6. All fortifications to desist and no further working thereon and they to be remitted to his Majesty's pleasure.
7. To restore every one of our good subjects their liberties and lands, houses, goods and means whatsoever taken or detained from them by whatsoever means since the aforesaid time.
8. That whatsoever shall be agreed upon shall be ratified by Parliament.

In obedience unto his Majesty's royal commandment we shall upon Thursday the twentieth day of June next dismiss our forces and immediately thereafter deliver his Majesty's Castles and shall ever hereafter in all things carry our selves like humble, loyal, and dutiful subjects.

Signed by ROTHES

DUMFERMLINE

WILLIAM DOUGLAS

ALEXANDER HENDERSON

ARCHIBALD JOHNSON

JOHN SMITH."

The English army returned home in July. The Covenanters were, however, by no means satisfied; they continued to proclaim their discontent, held secret councils with those favourable to presbytery, and even requested assistance from the French king.

These disturbances in Scotland were followed by a rebellion in Ireland, and a serious misunderstanding took place between the King and the parliament. Secret meetings were held by some of the Members of the lower house, which were discountenanced by His Majesty; and articles of impeachment were issued, which the House of Commons thought proper to resist.

Great tumults in the city broke out in consequence of these declarations, and immense numbers of people gathered around Whitehall, and offered insult to the peers and bishops as they passed to the upper house of parliament.

The Royal family, foreseeing danger, removed to Hampton Court, and afterwards left the country for Holland. The parliament took the command of the Militia out of the King's hands, and His Majesty moved northwards and issued commissions of array; declarations of defiance were published on both sides,

and a most grievous civil war quickly ensued, which finally ended in the execution of Charles, and the gradual establishment of the Commonwealth under Cromwell.

Having given the greatest satisfaction to the Commissioners, as well as to the Lords of the Council, in the independent execution of the duties of these several responsible appointments under the King, Mr. Chetham was looked upon by the Parliament in an equally favourable light, and being a man of cautious habits and not at all desirous of busying himself in political matters; and having the character, moreover, of a person of substance and estate, he was fixed upon as a very proper person to be appointed Treasurer for the County during the Interregnum.

Accordingly, in consequence of an Order of the Parliament, dated Sep^r. 6, 1643, directed to the Deputy Lieutenants and Committees of Parliament in the several counties of Lancaster and Chester, for the appointment of an Auditor "who shall take perfect Accompt of such Moneys &c. as have been seized by order of the Parliament;" and likewise for the appointment of a Treasurer, "to whom all Moneys collected for the maintenance of the Soldiers in the said Counties shall be paid,"

"At a generall meetinge of the Deputie Lieutenants & Committie for the County of Lancaster, at Manchester the last Day of October, 1643, it was Resolved upon the Question; That a General Treasurer for this County of Lancaster shall be forthwith nominated according to an Ordinance of Parliament of the 6th Sep^r 1643.

Resolved upon the Question: That Mr. Humphrey Chetham shall be this Treasurer; And further it is ordered that if he refuse, He shall certifie the House thereof, and desire their Resolution therein."

Against this appointment, however, "on account of his many infirmities," he presented a petition to the House of Commons, praying to be excused;—nevertheless the nomination was held good, and Mr. Chetham was obliged to perform the arduous duties of supplying the demands of the Parliamentary Commanders and their soldiery.

The correspondence relating to this appointment is given in Appendix No. 4.

Having reached the 73rd year of his age, this excellent and upright man died at Clayton Hall, on the 12th of October, 1653, and was interred in a small Chapel at the east end of the Collegiate Church of Manchester.

Mr. Chetham's character has been briefly sketched by Fuller, who mentions him among his Worthies of England, and on his authority we are told that "he was a diligent reader of the Scriptures, and of the works of sound divines,

and a respector of such ministers as he accounted truly godly, upright, sober, discreet and sincere."

From the beautiful exordium at the commencement of several wills,³² found among the deeds and papers deposited in the Treasury of the College, as well as from the various lists of Books bequeathed to the Churches of Manchester and Bolton, and the Chapels of Turton, Walmersley, and Gorton, there is good reason for supposing that Mr. Chetham's religious persuasion was that of a strict Calvinist;—but whether this conclusion as to his opinions be right or wrong, there can be no doubt whatever that he was, in the words of the Hospital Charter, "a person of eminent loyalty to his Sovereign, of exemplary piety to God, of charity towards the poor, and of affection to learning."

It is very much to be regretted, and, indeed, not very creditable to the towns which have obtained such singular advantages from his Charities, that there is no monumental inscription, not even the smallest memorial, to point out the place where his remains have been deposited.—Standing in the midst of the Dining Hall, while the poor children are partaking of their homely and frugal meal, or contemplating his bounty and munificence from the cells of his extensive Library, one might exclaim, as in the instance of the illustrious Architect of St. Paul's, "*Si monumentum quæris; Circumspice!*"—but it savours somewhat of ingratitude to the munificent individual himself, as well as of a negligence of the proper force of example to future generations, that the virtues of so charitable a mind should not be set in their proper light and held forward for imitation.

The bust and inscription are not designed to exalt the virtues of the *dead*, but to evidence the piety of the *living*; a commemorative sermon, indeed, is

³² In the name of God, Amen, the 13th day of September, 1631, and in the 7th year of the Reign of our Sovereign Lord Charles, by the grace of God King of England, Scotland, France and Ireland, Defender of the Faith. I Humphrey Cheetam of Clayton in the County of Lancaster, Esquire, (being amongst other causes moved with the consideration of the frailty and uncertainty of the lives of all people in general, and especially of my own life) though in my perfect and sound memory and understanding, make, ordain, & declare this my last will and testament, in manner & form following—That is to Say, first and principally I render & bequeath my Soul unto my Lord God & Creator, firmly and assuredly trusting that by the death & passion of his dearly beloved Son, Christ Jesus, my Saviour and Redeemer, and by his only Mercy and mediation for me, I shall live & partake with his blessed Saints in his heavenly kingdom of those delightful joys, which of his eternal goodness he hath prepared for his Elect, of which number (through his infinite grace & mercy) I do confidently hope and believe that I am one. And, as concerning the disposition of all such goods and chattells that Almighty God, of his bounteous liberality hath bestowed upon me, I do hereby publish express & declare my full mind & intention in that behalf as followeth, &c. &c.

preached by the Librarian, but surely we may venture to hope that at no distant period we shall witness some more substantial expression of public gratitude.

“*Ἐμοὶ δ’ ἂν ἀρκεῖν ἐδόκει εἶναι,*” observes the accomplished Orator of Athens, “*ἀνδρῶν ἀγαθῶν ἐργῶ γενομένων, Ἐργῶ καὶ δηλοῦσθαι τὰς τιμὰς.*”

It is observable by an examination of the numerous documents in the Treasury of the College, that Mr. Chetham left behind him a great variety of wills; and it would be curious and interesting to trace the history of his intentions, as they present themselves from the first of these instruments to the last. Some scheme of charity was ever uppermost in his thoughts; at one period he contemplated a suitable provision for the clergy of certain Chapeltries, within or contiguous to which his property was situate; and at another he had a plan for maintaining a number of aged and indigent persons in certain parishes in which he had resided.

His views would seem to have varied with the extent of his acquisitions, until he was finally enabled to devise and execute one grand object; and, by concentrating his means, to render the exercise of his charity more decidedly extensive and efficient.

Having provided for the payment of his just debts and funeral expenses, he proceeds to give and bequeath to Robert Booth of Salford, Gentleman, George Clarke of Manchester, Haberdasher, Henry Johnson, Mercer, and James Jollie of Droylsden, and their heirs, one thousand pounds.—Five hundred of which sum they are directed to lay out in the purchase of Lands and Hereditaments of the clear yearly value of £25. for the support and relief of poor, aged, needy, and impotent people of the towns of Manchester, Salford, and of the township of Droylsden,—to be distributed “at the judgment and good dispositions” of the Church Wardens and Overseers for the time being.—The remaining £500. to be laid out in Lands, producing an annual rent of £25. for the support and maintenance of the Stipendiary Ministers of Newton and Gorton Chapels, (the same being sufficient scholars and Masters of Arts of the University of Oxford or Cambridge.)—In case the aforesaid Robt. Booth, George Clarke, Henry Johnson, and James Jollie do not make the purchase of these lands and direct the distribution of these Charities; and in case no able Ministers be appointed to the Chapels beforenamed, then the property to go to his heirs.

He again bequeathed to Trustees the sum of £300. for the purchase of Lands, bringing in a yearly rent of £15., for the support of fifty poor persons, aged and infirm, in the parish of Bolton and township of Turton.

And he afterwards gave £400. to Trustees for the purchase of Lands of the annual value of £20., for the maintenance of a Preacher, (M. A. of one of the Universities,) at Turton Chapel, in addition to any other salary; and £100. for purchasing Lands of £5. per annum to the poor and aged of the township of Crompsall.

The chief Institution provided for in his last will was but a completion of the many schemes he had formed long before; and the unassuming manner in which this is alluded to shews him to have been remarkably free from all tincture of pride and ostentation.

During his life he had "taken up and maintained fourteen poor boys of the town of Manchester, six of the town of Salford, and two of the town of Droylesden, in all twenty-two."³³ Having never married, he thus became a

³³ Upon the death of a Mrs. Dixon of Salford, who had formerly lived with some of the Chetham family, a Manuscript Book was found, the first part of which is evidently in the handwriting of the Founder, and contains a minute account of the expenses incurred for the maintenance and clothing of twenty-two boys. The period extends from the 27th of October, 1649, to the 4th of June, 1651.

A

HOSPITALL BOOKE OF ACCOMPTES

27 October 1649.

Imprimis

Paid Ja: Lightbowne for 4 peices of blewe kersie the sum of.....	008	00	06
Pd for 65 yarges of Linen Cloath.....	002	14	00
Pd for a pounce and $\frac{1}{2}$ of blacke and browne threed.....	000	03	09
Pd for 32 y ^{rds} of linnen Cloath for lyneinge.....	001	04	06
Pd for 18 dozen of threed buttons	000	01	06
Pd more for threed.....	000	01	05
7 Nov ^r			
1649 Pd for holland & Scotch cloath for bandes.....	000	11	02
Pd for Bees wax and more Buttons	000	02	02
Pd for a pounce of threed.....	000	02	06
Pd for making 44 bandes for the Hospitall Boyes.....	000	07	00
Pd more for 18 doz ⁿ of Buttons and 2 ^d in threed	000	01	08

father to the fatherless and destitute; and doubtless many were the children of adversity that, during the lifetime of this good man, successively found protection in his fostering and paternal benevolence.

Pd George Walker for 60 dayes worke of himselfe and his Men, at 4 ^d p. diem, & XII ^d over at all for makinge the Hospitall Boyes Cloathes	001	01	00
Pd more for y ^e dyate, at 6 ^d p diem every man	001	10	06
3 Decem. Pd Rob: Walworke for 22 pa: of Shooes; at 19 ^d paire, for the Hosp: 1649	001	14	10
Pd for points for y ^e bandes & coates; and shooties; with laces for undercoates; in all	000	01	07
4 Decem. Pd George Walker Tayleur, the day the children were cloathed in wages 1649	000	01	00
Pd. Ja. Lightbowne more for 33 y ^{ds} of yellow bayes at 20 ^d p yd, and for dyinge & dressinge the blewe kersies a forenamed, y ^e summe of	004	14	02
Pd for Bookes for y ^e Hosp ^{ll} boyes, as appears by Ja: Lightbowne's note of pticulers	000	08	03
Pd in Expences y ^e day y ^e Hosp ^{ll} boyes were arayed	000	00	08
Pd for this Booke of Accomptes	000	00	06
15 Decem. 1649 Pd for y ^e Table of 21 Hosp ^{ll} boyes to Ja: Lightbowne for one month commencing 5 Decemb. 1649, 7 ^{lbs} a. m. aft ^r 4 ^{lbs} a year for every Child, I saye	007	00	00
Pd more to Robert Walworke for y ^e Hosp ^{ll} Boyes shooes the sume of	000	01	01
3 Jan. 1649 Pd Richard Worrall de Salford for y ^e Table of 8 Hosp ^{ll} boyes for 1 monthe	002	13	04
Pd Jo. Slater wife for y ^e Table of 5 Hosp ^{ll} boyes for 1 monthe	001	13	04
Pd Richard Standishe for y ^e Table of 4 Hosp ^{ll} boyes 1 monthe	001	06	08
Pe Jennet Smith (uxor Johis) for y ^e Table of 2 Hosp ^{ll} boyes for 1 monthe	000	13	04
Pd uxor Rici Hall for y ^e Table of 2 Hosp ^{ll} boyes for 1 monthe	000	13	04
Pd uxor Jo. Hopwood Vid. for y ^e Table of 1 Hosp ^{ll} boye for 1 monthe, commencing 3 Jan. 1649	000	06	08
Sum. Tot.	037	09	11

26 Januarie 1649.

Paid for 2 construing bookes	000	01	00
Pd for a Testament	000	01	05
1 ^o Ffeb 1649 Pd Rich: Worrall of Salford for the Table of 8 Hosp ^{ll} Boyes for 1 monthe	002	13	04
Pd Jo. Slater wife de Milngate for y ^e Table of 5 Hosp ^{ll} Boyes for 1 monthe	001	13	04
Pd Richard Standishe de Milngate for y ^e Table of 4 Hosp ^{ll} Boyes for 1 Mon:	001	06	08
Pd Richard Hall's wife Vid: de Milngate for y ^e Table of 2 Hosp ^{ll} Boyes for 1 mon. is	000	13	04

By his will, dated the 16th of December, 1651, he directs that the before mentioned number of boys be increased to forty, by the election of another boy from the township of Droylesden, ten from Bolton, and five from Turton :

Pd more to Widow Hopwood of y ^e Marketsted lane for y ^e Table of 3 Hosp ^l Boyes for 1 monthe ; die Martis ffebruarie 5 1649	001	00	00
Pd for 4 Scotch Primmers for 4 of y ^e Hosp ^l boyes the Sume of	000	00	10
Pd Jo : Slater wife w ^{ch} was laid out by her for y ^e mendinge of 2 pa : of Shoos of y ^e Hosp ^l Boyes	000	00	04
8 Mart. Paid by George Travis to Rich : Worrall of Salford for tabling 8 Hosp ^l 1649. Boyes for one mo : y ^e sum of	002	13	04
Pd more by G ^e Tr: to Uxor Jo : Slater de Milne-gate for Tablinge 5 H: B: one mo..	001	13	04
Pd Rich : Standish for tablinge 4 H: B: for one mo	001	06	08
Pd Uxor Ric: Hall vid. for tabl. 2 Hosp. B. for 1 mo	000	13	04
Pd more by G. T. to Vid. Hopwood of ye Marketsteed lane for Tab. 3 H. B. for one mo. die veneris 8 ^o Martis Anno Domini 1649	001	00	00
Pd more to Rich: Worrall for a girdle and mendinge their shooes by Geo. Travis 8 Martis 1649	000	00	05
Pd more for a Psalter 10 ^d a Latine Booke 2 ^d	000	01	00
Pd Geo Walker Tayleor for mendinge y ^e H: Boyes cloathes after y ^e rate of 8 ^d p. diem for 2 daies & a halfe is	000	01	08
Pd more for Buttons & threed	000	01	09
30 Mart. Pd to y ^e Cobler for mendinge y ^e Hosp. bo: shooes for a quarter of 1650. a year	000	13	09
Pd more for a Cordelius 6 ^d Primmer 3 ^d Hornebooke 1 ^d in all	000	00	10
8 April Pd more to Rich. Worall of Salford for y ^e Table of 8 Hosp ^l Boyes for one 1650 mon: y ^e sum of	002	13	04
Pd Jo: Slater's wife of y ^e Milnegate for y ^e table of 5 Ho. Bo. for 1 mo. y ^e sume of..	001	13	04
Pd Rich: Standishe of y ^e Milnegate for 1 mo. table of 4 Ho. boyes y ^e Sume of	001	06	08
Pd Rich: Hall's wife of y ^e Milnegate for y ^e table of 2 Hosp ^l b: for 1 mo. is	000	13	04
Pd more to Widdowe Hopwood of y ^e Marketsteed lane for y ^e table of 3 H: b. for 1 mo. 8 th April 1650	001	00	00
<hr/>			
Summa tot:	023	03	00

4 Maii			
1650	Paid for 2 construing bookes and 1 primmer	000	01 03
6 Maii	Pd Rich: Worrall for y ^e table of 8 Hosp ^l boyes for 1 month to come from 1650 y ^e date afores ^d	002	13 04
	Pd Jo. Slater's wife for y ^e table of 5 ho: b: for 1 mo:	001	13 04
	Pd Rich. Standish for tablinge 4 h: b: for 1 mo:	001	06 08
	Pd Rich: Hall's wife for tablinge 2 h: b: for 1 mo:	000	13 04
	Pd more to Widow Hopwood for tabling 3 h. bo: for one monthe to come from 6 ^o Martii 1650 y ^e sum	001	00 00

bequeathing the sum of £7000. for the purchase of a fee-simple estate, the profits of which are to be applied to the support of the Institution. The boys are to be elected, in the proportion specified, from the six townships mentioned

7 Junii. Pd by Geo Travis die veneris 7 ^o Junii 1650 to y ^e above mentioned House- holders for y ^e table of 22 Hosp ^l boyes for 1 mon. to come from y ^e date afores ^d	007	06	08
Pd for a Testament for 1 hosp ^l boy	000	01	06
Pd for a construing booke for a hosp ^l boye	000	00	06
Pd Tayleor for mendinge Hosp ^l b: cloathes.....	000	00	02
19 July Pd by Geo Travis die veneris 19 July 1650 to y ^e Householders for y ^e table of 22 Hosp ^l boyes for a mo: aforehand.....	007	06	08
Pd y ^e Cobler for 1 Quart ^r of a year 19 July 2 ^s 6 ^d p. an. for every boy	000	13	09
7 ^o Aug. Pd by Geo: Travis die Mercurie 7 ^o Augusti 1650 to 5 Householders for y ^e table of 22 Hosp ^l b: for 1 mo. aforehand.....	007	06	08
Pd for a booke for a Hosp ^l boie.....	000	02	01
Pd Geo: Walker Tayleor for mendinge their cloaths.....	000	02	00
Pd for buttons & silk to mend their cloaths withall.....	000	01	06
Pd for a booke for a Hosp ^l boie	000	00	10
6 Pd by Geo: Travis die veneris 6 ^o Septemb: 1650 to 5 Householders for Sep. tabling 22 Hos ^l b: 1 mo. aforehand.....	007	06	08
7 ^o Oct: Pd by Geo: Travis die Saturni 5 ^o Octob. 1650 to 5 Householders for tablinge 22 Hosp ^l b. 1 mo: aforehand.....	007	06	08
Pd for a Cato for a Hosp ^l b:.....	000	00	04
Pd y ^e Cobler for 1 Quarter more mendinge Hosp ^l bo: shooes.....	000	13	09
Pd for five Psalters & 1 Primmer for h: boyes.....	000	04	02
Pd for an Accidance for a h: boy	000	00	04
22 ^o Pd Robt Wallworke for 22 paire of shoos at XXII ^d p. paire for hosp ^l b:.....	002	00	04
Pd Rob. Fleetcroft for 22 paire of stockings at XIII ^d p. paire for hosp ^l b:.....	001	05	08
Pd for Lether points for their Shooties	000	00	06
Nou. 14 Pd by Geo. Travis die Jovis 14 ^o Novemb: 1650 to 5 Householders for tablinge 22 Hosp ^l b: 1 mon: aforehand	007	06	08
Dec. 7 ^o Pd by Geo. Travis die Saturni 7 ^o decemb. 1650 to 5 Householders for tablinge 22 hosp ^l b: for 1 mo: aforehand.....	007	06	08
Pd for 6 accidances for them.....	000	02	00
<hr/>			
Summa tot.	064	04	11

14^o Decemb^r. 1650.

Pd for an accidance for a hosp ^l b:	000	00	04
4 Jan. Pd by Geo. Travis for 1 mo. table of y ^e hosp ^l b: aforehand	007	06	08

in the will, and to be the children of poor, but honest, parents, not illegitimate, nor diseased, lame or blind, when chosen. They are to be cloathed, fed, and instructed from the age of about six years to fourteen, when they are to be bound out at the expense of the Charity, to some honest and useful trade.

Nearly one fourth of the children are discharged at Easter, and others elected in their stead, by the feoffees, twenty-four in number, who have invariably been gentlemen of the first respectability and rank in the neighbourhood, and are a corporate body by Charter, dated the 20th of November, 1665, 17th of Charles 2nd.

2^o decemb^r. 1650

Rec^d from my Cosen Geo. Travis a note of what disbursm^{ts} hath beene contributed to y^e Hosp^l boyes in Manchest^r viz :—

61 yardes of linnen cloath; bought of Thomas Coppinge, at 10 ^d p. yard. comes to..	002	12	00
32 yardes more of him at y ^e same time 9 ^d ob. p. yarde is.....	001	05	04
2 yardes and quart ^r linnen clo: cost	000	02	00
13 dec:			
Paid Ja. Lightbowne in pte for Woollen clo:	013	03	10
Pd ffancis Jepson for bandes.....	000	10	06
Pd for Bee waxe	000	01	02
Pd Nich: Howett for threed and buttons for y ^e Childrens use at Manch:	000	12	00
Pd Geo: Walker tayleor in pte for makinge Hosp ^l b: Cloathes	000	05	00
Pd Geo Walker more in full for his worke	001	07	00
Pd Alis Booker for makinge 44 Shirts for ho: bo: and for lettering y ^m	000	08	00
Pd for points & laces for the bo: cloathes & for their bandes	000	01	00
Pd for makinge 44 bandes at 2 ^d p. band & 2 ^d p. threed.....	000	07	06
Pd by Geo Travis for 1 mon. table of the Hosp: bo. aforehand.....	007	06	08
15 Feb. Pd Geo Walker tayleor for mending Hosp ^l boyes cloathes.....	000	07	08
Pd for 2 yds of yellowe beaz for y ^m	000	03	04
4 ^o Martii—Pd by Geo. Travis for 1 mo: table of y ^e Hosp ^l boyes aforehand	007	06	08
29 ^o Pd y ^e Cobler for mendinge y ^e Hosp ^l b: shoos	000	13	09
4 ^o Apr. Pd for 6 Testaments for y ^e Hosp ^l boyes	000	03	06
Pd by Geo Travis for 1 mon: table for the Hosp ^l boies aforehand.....	007	06	08
4 ^o			
May Pd by Geo Travis for 1 mo table of y ^e Hosp ^l boies aforehand.....	007	06	08
Pd more for bookes.....	000	08	11
Tot:....	059	11	02

4 Junii 1651

Pd by Geo. Travis for 1 mo: table of y ^e Hosp ^l boyes aforehand.....	007	06	08
for mendinge their cloathes.....	000	01	06

Perhaps no institution of the kind has been more indebted to its guardians for their judicious management of its resources, and attention to its interests than this ; and they have found an ample reward for the anxiety which they have evinced for these objects, by having been enabled to enlarge the sphere of their laudable charity, and to augment the number of boys upon the foundation *to eighty*.

Mr. Chetham bequeathed also the sum of one thousand pounds for the purchase of books ; and one hundred pounds for a suitable building to receive them, towards the foundation of a public library ;—for the augmentation of which he devises the residue of his personal estates, after the payment of certain legacies, and this is said to have amounted to more than two thousand pounds.

He farther bequeathed the sum of two hundred pounds to purchase godly English books, to be chained upon desks in the Churches of Manchester³⁴ and Bolton, and in the Chapels of Turton, Walmersley, and Gorton.

The building appropriated to these charitable purposes is generally known by the name of *The College*, having been originally erected for the residence of the Ecclesiastics belonging to the Collegiate Church, in Manchester, and probably of the same date as the Church itself, which was founded by Thomas West, Lord de la Warr, in the reign of Henry the 6th, he having obtained a licence from the last monarch, Henry the 5th, in the latter year of his reign, making the Church Collegiate.

The College was built upon the site of the old Manor House, called The Baron's Hall, for many centuries the residence of the Grelleys and De la Warrs, Lords of Manchester.

It continued to be the residence of the Warden and Fellows until the first year of the reign of Edward the 6th, 1547, when, on the dissolution of the Collegiate body, during the advance of the reformation, the buildings were conveyed to Edward, Earl of Derby ; in the possession of whose family it remained until the period of the civil wars, when, with the other property of the gallant, but unfortunate James, the seventh Earl, it was seized by the Sequestrators on behalf of the Parliament.

It was, at this latter time, in a very dilapidated condition, the greater part

³⁴ This provision, which was formerly in Jesus' Chapel, in the Collegiate Church, is completely fallen to decay. Within these few years nothing remained of it but the bookcases and desks, and the chains which secured the books from being carried away :—a few torn leaves were the last relics of what the pious founder intended for the instruction of his fellow parishioners, and even these have now disappeared.

being used as a prison, other parts as a magazine for powder and arms, and others again being occupied as private dwellings.

Mr. Chetham was aware that the College was well adapted for the purpose of his Charities, and accordingly made application to the Committee of Sequestrators for purchasing the property, or of having the use of it upon certain conditions. The following document was therefore, with this view, drawn up and partly executed.

“Whereas there is a howse and outhowseinge with th'appurtenances in Manchester, called the Colledge, which was sequestered as parte of the Inheritance of the Erle of Derby, the which have yielded noe profit to the publicke duringe the tyme the same hath bin sequestred, nor is liklie to doe unles the same bee repaired, which will require a great sune of money, the same being very ruinous and in greate decay, as wee are informed, And whereas Humfrey Chetham Esquire hath desired the same to bee employed for a pious use, vizt, for an habitation for some poore children, or aged and infirmeould folkes, which hee intended to maintaine and provide for at his owne costes and charges, And will make the same or some partes thereof habitable and fitte for that purpose. Wee whose names are Subscribed of the Comittee of Sequestrators for the Countie of Lancaster, beinge willinge to further soe good a worke, doe give waye, and have, soe farre as in us lyes, to the said Mr. Chetham, to have and use the said Colledge howse with th'appurtenances, to and for the use and purpose aforesaid. Whereunto wee doe the rather consent for that wee are thereunto Sollicited by some of the chiefe Inhabitants of the Townes of Manchester aforesaid and Salford, in the said Countie of Lanc:—In witnes whereof wee have hereunto set our handes the tenth daie of September, Anno dni 1649.

PETER EGERTON

JOHN STARKIE

THO: FFELL

EDW: BUTTERWORTH.”

On application being made to Mr. Birch of Birch Hall, another of the Sequestrators, for his signature, that gentleman thought proper to attach to the document the following Articles of Agreement for Mr. Chetham's acceptance and execution.

“ I Humphrey Chetham esq. do undertake to maintaine Twentie poor people at the Colledge, viz. aged persons, with everie one per annum, and younge boyes to learninge, with allowance of per annum ; for which purpose I will settle a durable and constant estate of that value out of lands for ever, as assurance to that purpose may be thought fitt and drawne up by Counsell learned in the lawes.

Sept. 20th 1649.

In presence and witnes of
&c. &c.”

These conditions, however, having the appearance of a distrust of Mr. Chetham's honorable intentions, and perhaps also being considered dictatorial and likely to interfere with his plans, were immediately rejected, and the treaty was entirely broken off.

The following remarks, in another hand, are attached to the agreement in reference to Mr. Birch's proposal.

“ Remember that the forementioned terms and conditions were proposed by Mr. Birch of Birch Chappell to Mr. Chetham ; when James Lightborne &c. were sent to the said Thomas Birch for his hand and consent, (hee beeing then a Comittee man for sequestration,) which said proposalls, when Mr. Chetham saw them, was much offended that Mr. Birch should bee so lordly to comand over soe charitable an Intention : And therefore did refuse to buy the Colledge.

When Major Radcliffe, one of the ffeoffees, saw the above said sawcie proposal of the said Tho^s Birch, hee cutt it forth, as may appear ; which is still preserved, that if ever this in after ages, bee taken notice of ; It may and will appear that always the greatest pretenders for reformation doe not prove reformers.”

Mr. Chetham dying in 1653, the property was again applied for by his executors, according to the tenor of his will, and the College appears to have been made over to the Feoffees, by the Sequestrators, about the month of November, 1654 ; and the boys, having been previously kept at quarters, were transferred to their new residence on the 24th of August, 1656. The property, however, having, after the Restoration, reverted to the heirs of the Earl of Derby, a fresh conveyance became necessary, and this instrument was executed to the Feoffees on the 18th of March, 1666.

The following original letter from Charlotte, Countess of Derby, widow of the 7th Earl, claiming some remuneration for the transfer of this portion

VIEW OF THE COLLEGE GATEWAY.
 THE COLLEGE OF ST. JOHN, BATH.
 DRAWN BY J. H. P. AND ENGRAVED BY J. H. P.



This Plate is respectfully inscribed by his most Obedt. Serv^t
 Tho^s Agnew & Soⁿ Lanelle.

of her jointure, by the Sequestrators, to the Feoffees under Mr. Chetham's will, merits attention. Whether any return was ever made to that illustrious lady, I have not the means of correctly ascertaining.

London the 18th Sept. 1666.

"Gentlemen,

I have by the last poste receaved a letter from you occasioned by some discourse which my servant Henry Ashton had with you concerning the Colledge at Manchester. I believe many of you know it to be part of my jointure, & most of you cannot be ignorant how it was taken from me without giving me the least satisfaction for the same, therefore I hope you will not take it amisse if I doe at present desire some consideration for it; Indeede, my losses & sufferings have been such that I had neede to make what I can of that small remnant of estate which it hath pleased God to leave me, & to that purpose had given directions to Henry Ashton to looke into that businesse; but as soone as I understood you to be the feoffies in trust, I order'd him to stay all proceedings at law, because I know you to be persons of Honor & Conscience: & to the end there may be no molestation nor misunderstanding betwixt us at soe great a distance, I have desired Mr. Holt of Castleton Mr. Richard Penington & Mr. Moseley of the Anckotes to treat with you about the businesse of the Colledge, & what they or two of them and you conclude together I shall approve of, & endeavor in what else may lye in my power to shew myself,

Gentlemen,

Your affec^{te} freind to serve you

for George Chetham &

Richard Holland Esq^r & the

feoffees of y^e Colledge Howse in Manchester Theise.

CH. DERBY.

What alterations the College may have undergone, either in its internal or external appearance since its original foundation, it would be difficult at this period precisely to determine. It still presents very considerable marks of antiquity, and exhibits all the characteristics of the Architecture of Collegiate buildings of the age to which it belongs.

The principal entrance is under an ancient gateway in Long Mill-gate, near Manchester School, which leads into a spacious court, but the general and more common approach, except for carriages, is along a passage, which commences at the upper end of Hunt's Bank.

The College stands upon the edge of a rock which overhangs the river Irk, near the point of its conflux with the Irwell, and must, at the period of its foundation, have been most romantically situated. The lower apartments of the building, and all the adjoining offices, are appropriated to the use of the Hospital; the upper rooms containing the Library and the apartments of the Librarian and Governor.

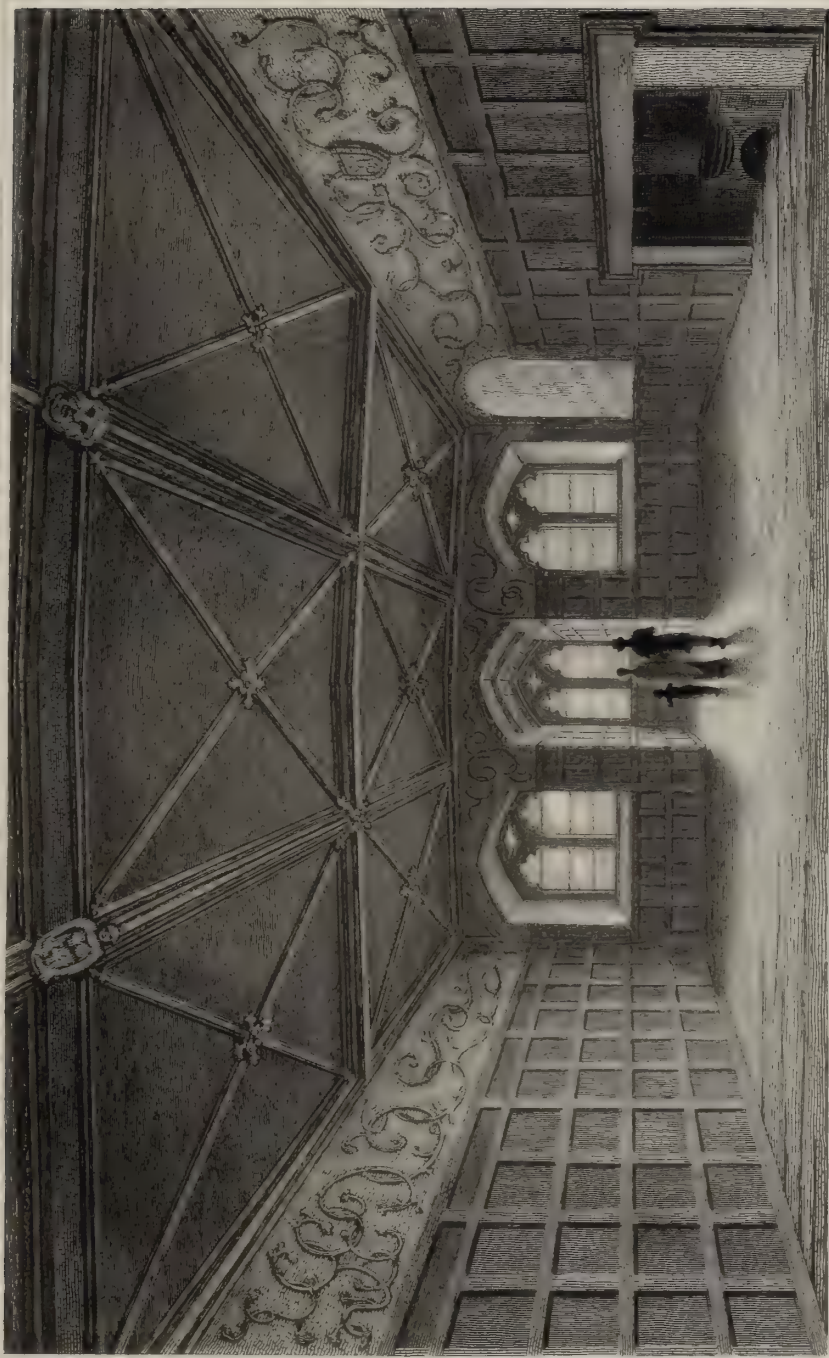
On the right hand of the entrance into the house, is a large and lofty kitchen, open to the roof: and on the left is the ancient hall, or refectory, where the boys usually dine. The upper end of this spacious room is still furnished with the dais, or raised division of the hall, set apart, in the times of baronial ceremony and splendor, for the lord and his family; and it is still covered by its attendant massy carved screen, while the lower division remains even with the floor of the building, as indicative of the situation of the more inferior members of the household and their guests and friends.

Adjoining the Hall is a room in which the Schoolmaster now resides, and which, in former days, was probably the apartment of the Warden, as the ceiling is distinguished by some remnants of curious ornamental carving. But the most perfect and most characteristic remains of the original building are the cloisters, which surround a small court, and give an air of monastic antiquity to the whole.

The Library extends through a long gallery, divided into numerous classes, which are inclosed with rails, and form separate compartments; these classes were formerly fitted with tables and seats for the convenience of those who attend for the purpose of reading or consulting the manuscripts, but such facilities are now unfortunately, though very properly, discontinued.

There is also a very large room, adjoining the Library, which, during the appointed hours, is used as a reading room. Here is an original portrait of Mr. Chetham, together with those of four very eminent divines, who are justly celebrated by every biographer, as taking the highest rank among the most learned and dignified of their country; they are Alexander Nowell, D.D., Dean of St. Paul's and Founder of Middleton School;—William Whitaker, D.D., Nephew of Dr. Nowell, Regius Professor of Divinity in the University of Cambridge, and successively Chancellor of St. Paul's and Master of St. John's College:—Robert Bolton, a learned Divine and the first Grecian scholar of his day:—and John Bradford, M.A., a native of Manchester, who received his early education at Manchester School, and was afterwards Fellow of Pembroke Hall, in Cambridge, and Chaplain to Edward the 6th.—He was burnt alive in the reign of Queen Mary in the year 1555.

CHURCHMAN'S COLLEGE
 AN INTERIOR VIEW OF THE ANCIENT DINING ROOM
 now appropriated to the Master of the School.



TO THE RIGHT HONOURABLE THE EARL OF WILTON,

*This Plate is more respectfully inscribed to you, Lady's very obedient servant,
 Wm. Henry, Esq.*

From the Boy's Playground


$$T6 \rightarrow J, L, V, K, S \quad H, B, B, R, \bar{R}, T, \bar{T}, S, Q^A, \bar{Q}^A, R, \bar{R}, T, \bar{T}, K, S, \quad T, \bar{T}, K, L, V, K, S,$$

NORTH WEST VIEW OF CHEPPINGS COLLEGE
FROM THE BANK OF THE AVON RIVER



TO WILLIAM FOX OF STRETTON LODGE IN CHESHIRE ESQ.

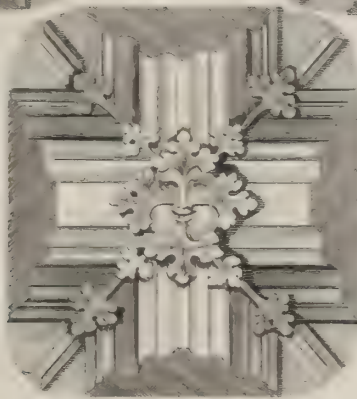
This Plate is respectfully inscribed by his obedient servant

Wm. Agar, Esq.



TO WILLIAM GRANT, OF NEW YORK CITY

The Public Library, Astor Lenox and Tilden Foundations
1009 Broadway, New York City



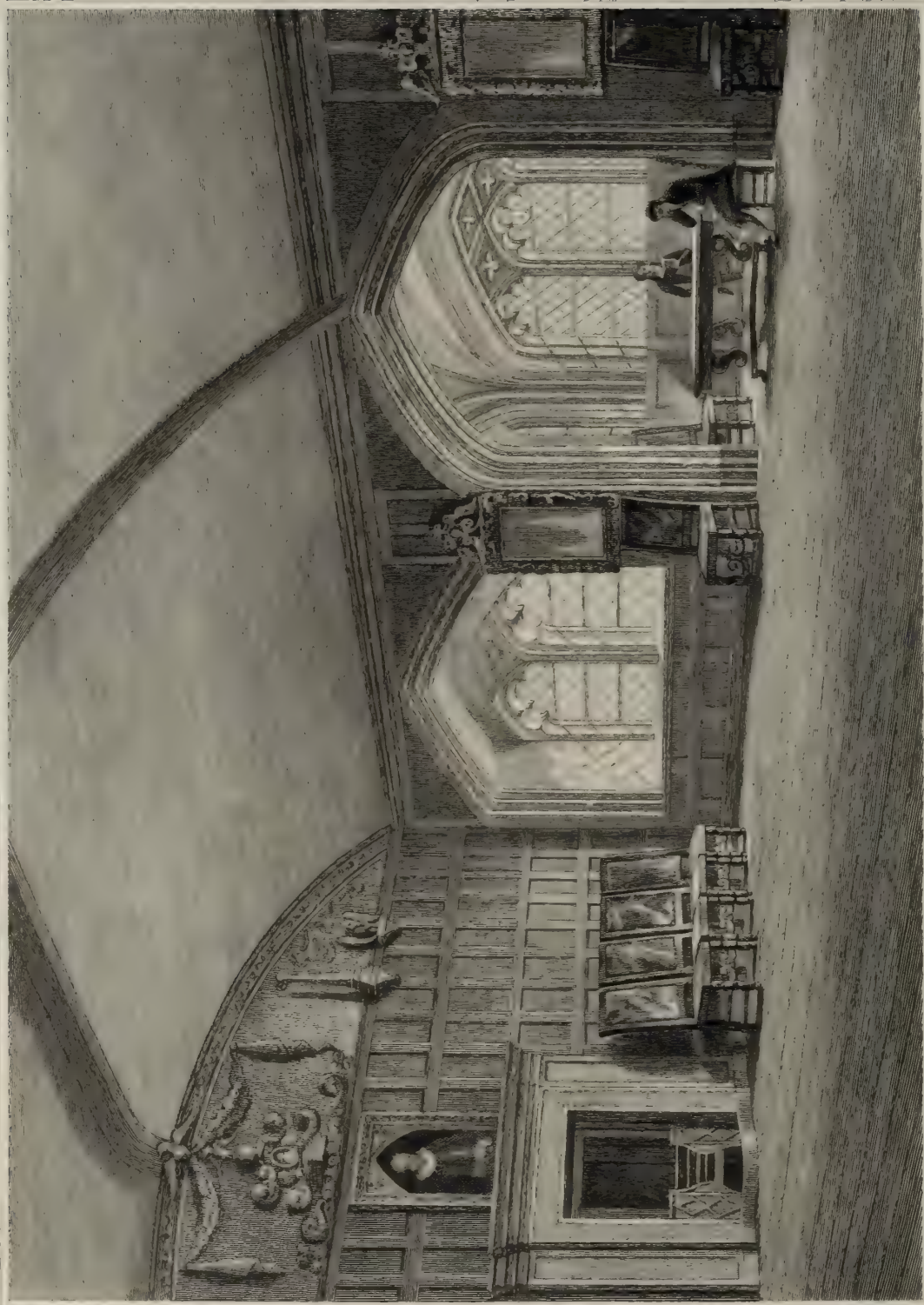
CHESHAM'S PATENT.

*Excellent Sculpture on the ceiling of the Hall
at the residence of the Duke of Devonshire.*

Published by Agnew & Sons, June, 1830.

AN INTERIOR VIEW OF THE PROCEEDING CHURCH,
 PROPERTY AND AS A READING ROOM TO THE LIBRARY.

Plate 6.



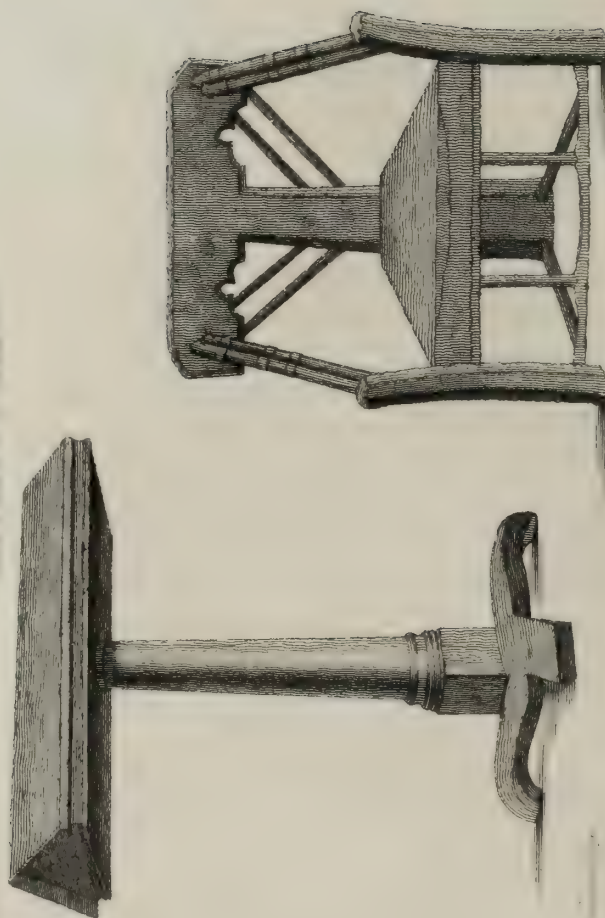
Engraved by J. M. Smith. From a sketch by the Rev. Mr. Smith.

The Church of St. Andrew, in the City of London.

THE CHURCH OF ST. ANDREW, IN THE CITY OF LONDON.

This Plate is most respectfully inscribed by his Lordships most obliged Servants -
 The Bishops of London & Lincoln.

CHEETHAM'S COLLEGE.



Incant Reading Desk lately removed from the Choir in the Rectory, and an Incant Chair in the Rectory.

This room, in which the Feoffees hold their annual meetings, is respectable for its antique appearance. It is large, with an oriel window, and is wainscotted with carved oak. Over the fire place are the Arms of the Founder, richly cut; and on each side pillars resting upon books, representing knowledge, upon which all true munificence is founded, and crowned with antique lamps, the fire issuing from which was to represent the warm feelings of the Founder, and the light, the diffusion of wisdom and happiness by his means.

The furniture of this room corresponds with the wainscoting, and is evidently of great age; particularly two tables, which are very curious, and, in all probability, coeval with the building. The chairs are such as were fashionable in the reign of Charles the 2nd, and form a striking contrast with the seats of the present day.

In this apartment the Feoffees are accustomed to dine at their general meetings, which occur three times in the course of the year;—at Easter, in July, and in October. At the last meeting, which is always held on the first Monday after Michaelmas-Day, a sermon is preached by the Librarian, in the Collegiate Church, in commemoration of the Founder.

Agreeably to Mr. Chetham's directions, as the value of the estates has increased, the number of the boys has also been augmented. About the commencement of the last century they amounted to sixty; and in the year 1780 they were farther advanced to eighty, which is the present number.

The townships from which they are appointed to be chosen, are as follow:—

	Original Number.	Present Number.
From Manchester.....	14	28
„ Salford	6	12
„ Droylsden.....	3	6
„ Crumpsall.....	2	4
„ Bolton-le-Moors....	10	20
„ Turton.....	5	10
	<hr/> 40	<hr/> 80

Easter Monday is the day appointed for filling up the vacancies in the number of the boys, at which time, those who have completed the period of their education, leave the Hospital, and others are elected in their stead. In order to get a boy admitted into the Charity, it is necessary to procure a printed form of petition, either from the Governor, or some of the Trustees, which must be filled up according to the tenor of it, and signed by the Overseers and

THE LAST WILL AND TESTAMENT

OF

HUMPHREY CHETHAM, OF CLAYTON, IN THE COUNTY OF LANCASTER, ESQ.,

Dated December 16, 1651.

IN the name of GOD, amen. The sixteenth of December, in the year of our Lord one thousand six hundred and fifty-one, I Humphrey Chetham, of Clayton, in the county of Lancaster, Esq. being mindful to settle my estate, and being of sound and perfect memory, praised be God for the same, do make this my last will and testament, in manner and form following, that is to say, first of all, I bequeath my soul to Almighty God, hoping to be saved by his mercy, thro' the merit and mediation of Jesus Christ my blessed Saviour and Redeemer; and my body to be buried in the parish church of Manchester, within the county of Lancaster, within my chapel there, in such decent manner, as my executors hereafter herein-mentioned shall think fit.

And I do constitute, ordain, and make my two kinsmen sons of my brother James Chetham, gentleman, executors of this my last will and testament.

George Chetham
and Edward Chet-
ham appointed exe-
cutors.

And it is my mind and will, that all my debts as I shall owe to any person or persons upon the day of my decease, (if any such be) shall be discharged by my said executors, within three months afterwards.

And I do give and bequeath unto my said brother's son, whom I have nominated one of my executors, the sum of five thousand and three hundred pounds of good and lawful money of England, to the intent and purpose, that he shall therewith, so soon after my decease as conveniently may be, purchase and buy lands, tenements, rents, or other hereditaments, of and for a good and firm estate in fee simple, in the name of, and to the said executors, or the survivor of them, and their or his heirs for ever, of the clear yearly value of three hundred and eighteen pounds of good and lawful money of England.

£5,300. given to
George Chetham to
purchase lands, &c.,
of the clear yearly
value of £318.

And in case the said sum of five thousand and three hundred pounds will not be sufficient to purchase lands, tenements, rents, or hereditaments, of the clear yearly value of three hundred and eighteen pounds as aforesaid, then I do charge and require the said George Chetham, to make up the said sum of five thousand and three hundred pounds so much out of his own estate, as may be sufficient to purchase lands, tenements, rents, or hereditaments, of the clear yearly value of three hundred and eighteen pounds, in regard of the great estate I have given him, or settled upon him, as hereafter is herein expressed.

£1,700. given to Edward Chetham to purchase lands, &c., of the clear yearly value of £102.

Also I do give and bequeath unto the said Edward Chetham (whom I have nominated the other of my executors) the sum of one thousand and seven hundred pounds of good and lawful money of England, to the intent and purpose, that he shall therewith, so soon after my decease as conveniently may be, purchase and buy lands, tenements, rents, or other hereditaments, of and for a good and firm estate, in fee simple, in the name of, and to the said executors, or the survivor of them, and their or his heirs for ever, of the clear yearly value of one hundred and two pounds, of lawful money of England.

And in case the said sum of one thousand and seven hundred pounds will not be sufficient to purchase lands, tenements, rents, or hereditaments, of the clear yearly value of one hundred and two pounds as aforesaid, then I do charge and require the said Edward Chetham to make up the said sum of one thousand and seven hundred pounds so much with or out of his own estate, as may be sufficient to purchase lands, tenements, rents, or hereditaments, of the full clear yearly value of one hundred and two pounds, in regard of the great estate I have given him, or settled upon him, as hereafter is herein expressed.

Executors directed to join in the purchase of the said lands, &c.

And I desire, if they so please, that my said executors shall and will join in the purchase of the said lands and hereditaments by them to be bought and purchased as aforesaid, and in the settlement and assurance thereof, for the uses and purposes herein after mentioned, at and by the oversight and advice of my overseers herein after named.

The which said lands, tenements, and hereditaments, and every of them to be so by my said executors, or either of them,

purchased, and bought as aforesaid ; my will and mind is further, that the same shall within as short a time as may be, after the purchase, or respective purchases thereof, be conveyed, granted, and assured by my said executors, or the survivor of them, or by such of them as shall purchase the same, or by his heirs unto Richard Holland of Denton, in the county of Lancaster, Esq. Alexander Barlow, in the said county of Lancaster, Esq. Edmund Hopwood, of Hopwood, in the same county, Esq. Robert Hyde, of Denton, in the same county, Esq. Richard Howorth, of Manchester, in the same county, Esq. Richard Radcliffe, of the same, Esq. Henry Wrigley, of Chamber, within Oldham, in the said county of Lancaster, Esq. Nicholas Mosley, of Ancoats, in the said county of Lancaster, Esq. John Lightbowne, of Salford, in the same county, Esq. Robert Booth, of Salford aforesaid, Esq. Francis Mosley, of Collihurst, in the same county, Gent. William Radley, of Oldfield, within Salford, in the same county, Gent. Richard Johnson, Clerk, late one of the Fellows of the College in Manchester aforesaid ; Richard Hollingworth, of Manchester, aforesaid, Clerk ; John Tildesley of Rumworth, in the same county of Lancaster, Clerk ; Edward Johnson of Manchester aforesaid, Gent. James Marler, Thomas Minshull, and James Lightbowne, of the same, Gents. John Cunliff, of Hollins, in the same county, Gent. Ralph Worsley, of Platt, in the same county, Gent. Alexander Norres, and John Okey of Bolton in the Moors, in the same County of Lancaster, Gents. and Ralph Brooke of the same, Yeoman ; their heirs and assigns for ever, or to the survivors and survivor of them, and the heirs and assigns of such survivor and survivors for ever, to the use of my said executors and of the survivor of them, and of the said Richard Holland, &c. &c. and of the survivors and survivor of them for ever, under and upon this trust and confidence nevertheless, and to the only use, intent, and purpose, that the whole clear profits, issues, benefits, and revenues thereof, and thereby to be raised and received, shall and may, to the pleasure of Almighty God, be ordered, disposed of, employed, and converted, from time to time, for ever, in, for, and about the relief, maintenance, education, bringing up, and binding apprentice, or other preferment of so many, and such poor boys or male child-

Executors to convey the said lands, &c. to the first Feoffees.

The profits of these lands to be laid out in the maintenance and education of poor boys.

ren, and in such sort, manner, and form, as in, and by this my last will and testament is, and are, or shall be in such behalf set down, and expressed, appointed or declared.

Feoffees when reduced to twelve, shall elect and enfeoff other twelve.

Persons elected to dwell within twelve miles of Manchester.

Respect to be had to the towns and places of abode of the deceased feoffees.

The like course to be kept for ever, as often as there shall be only twelve feoffees alive.

The founder's kindred to be feoffees, if fit.

And it is my further will and mind, that when there are, or shall be only twelve of them, the said Richard Holland, &c. &c. remaining in full life, then my will and mind is, that the same twelve surviving shall enfeoffe other twelve honest, able, and sufficient persons, inhabiting within twelve miles of the said town of Manchester, at the time of such enfeoffeing, and to be nominated, and elected by such twelve surviving persons as aforesaid (respect being had to such towns and places respectively, in which such feoffees, and persons entrusted as aforesaid, as shall be then deceased, did inhabit and dwell in their life-time, that others may be chosen out of the same towns and places, or as near thereunto as conveniently may be) and the heirs and assigns of the said other twelve persons to be so newly elected, nominated, and enfeoffed as aforesaid, of the said lands, tenements, rents, and hereditaments, so to be purchased and bought as aforesaid, to the use of the same survivors feoffees, and of the said other twelve persons to be so newly elected, nominated, and enfeoffed as aforesaid, and of the heirs and assigns of the said survivors feoffees, and of the said other twelve persons to be so elected, nominated, and enfeoffed, as aforesaid, for ever, under, and upon the like trust and confidence, and to the use, intent, and purpose aforesaid, for the performance of this my last will and testament, for and concerning the relief, maintenance, education, bringing up, and binding apprentice, or otherwise preferring or providing for such said poor boys, in manner or form as aforesaid, for ever, as by council learned in the laws shall be advised, or devised; and that the like course be kept for ever, when, and as often as there shall be only twelve feoffees or persons alive, to whose use the said lands, tenements, and hereditaments, shall be so or in like manner conveyed, and assured as aforesaid, according to the true meaning of this my last will and testament: and that it be so expressed in the feoffments and assurances thereof hereafter to be made as aforesaid.

And it is my will and mind, that so long as any of my name, blood, or kindred, shall dwell at Turton, Clayton, or Chetham aforesaid, and in Ordsal and Crumsall, in the county of Lancas-

ter aforesaid, or elsewhere near unto the same places, and shall be fit to be made feoffees, that they be used for the same purpose, and nominated feoffees with, and as the rest.

Also it is my will and mind, and I do desire, that whereas I have in my life time taken up, and maintained fourteen poor boys of the town of Manchester aforesaid, and six of the town of Salford aforesaid, and two of the town of Droylsden, in the aforesaid county of Lancaster, being two and twenty in all, that the same may, and shall be made up the number of forty, by the addition of eighteen more poor boys, every of them to be above the age of six, and under the age of ten years, at the time of their several elections, and the same eighteen poor boys to be elected and taken up, within three months after my decease, out of such towns or townships only, and by such numbers or proportions, as are herein hereafter mentioned, (that is to say) in or out of the said town or township of Droylsden one, in or out of the town or township of Crumsall aforesaid two, in or out of the town or township of Bolton in the Moors aforesaid ten, and in or out of the town or township of Turton, in the aforesaid county of Lancaster five, and not elsewhere, or otherwise.

And my mind and will is, that after the number of forty is completed, by such numbers and proportions as aforesaid, that then, and in case of any vacancy of the said poor boys by death, or being above such age as hereafter is herein expressed, or by disorder, or misgovernment, or infectious, or incurable sickness or disease of any of the said poor boys, or otherwise at the discretion of the feoffees and persons entrusted or authorised, or hereafter to be entrusted or authorised, as is hereafter herein mentioned in that behalf, the same shall be supplied by new elections successively for ever out of the respective towns and places, out of which such boys, whose places shall become vacant by any the means aforesaid, were taken up, and chosen, and not otherwise; nor out of any other place, if there be poor boys enough within the same place to be chosen, so as there may be from time to time successively for ever fourteen out of Manchester, six out of Salford, three out of Droylsden, two out of Crumsall, ten out of Bolton in the Moors, and five out of Turton as aforesaid.

Twenty-two poor boys maintained in his life time, to be increased to forty.

Age of the boys to be added.

Out of what townships, and in what proportion the additional boys are to be elected.

Vacancies of poor boys to be supplied out of the same townships, from which the boys, whose places are vacant, had been elected.

Boys elected to be children of honest, industrious parents, and not bastards, or diseased.

And furthermore my will and mind is, that the same poor boys from time to time, and at all times after my decease to be elected and taken up as aforesaid, shall be children of honest, industrious, and painful parents, and not of wandering, or idle beggars, or rogues; nor that any of the said boys shall be bastards, nor such as are lame, infirm, or diseased, at the time of their election.

A treasurer, governor, and other officers to be appointed.

And my will and mind is, that the same poor boys shall have a Treasurer or Receiver, and a Governor, with Officers and servants fit and requisite for the ordering and managing of the same children, and of the affairs of the hospital hereafter herein mentioned; and that the same Treasurer or Receiver, Governor, Officers and servants, shall have some competent allowance, stipends, or salaries, answerable to their pains in, and touching the premises.

The majority of the feoffees that meet, to have power to elect, or displace the boys.

Also my will and mind further is, that the said Richard Holland, &c. &c. and all and every such person and persons for the time being, to whom, or to whose use the said lands and premises, or in default thereof, the annual rents, or yearly sums of money hereafter named, by this my last will bequeathed, are, or shall be, or are hereby mentioned, or intended to be willed, devised, bequeathed, limited, appointed, granted, assigned, conveyed, or assured, according to the true meaning of this my last will, the greater number of so many of them as shall yearly meet for, or about the performance of this my last will, according to the true meaning thereof, shall for the time being respectively, from time to time, for ever, have full, only, and absolute liberty, power, privilege, and authority, for and concerning the electing, appointing, placing, displacing, ordering, governing, maintaining, bringing up, and binding apprentice, or otherwise preferring, or providing of and for the said forty poor boys to be elected, and taken up as aforesaid for ever.

And to elect, and displace officers, and employ the revenues, according to the directions of the will.

And also for and concerning the electing, nominating, appointing, placing, and displacing of such Treasurer or Receiver, Governor, Officers and servants, as shall be thought fit to be employed about the premises, and for the limiting, appointing, and allowing of the stipends, or salaries of the said Treasurer or Receiver, Governor, Officers, and servants respectively, and other charges whatsoever, in any wise concerning the said poor boys, or the

Hospital herein named, and for and concerning the issuing, ordering, paying, employing, and bestowing of the benefits, issues, and profits of the said lands, tenements, rents and hereditaments for the uses, and purposes aforesaid, according to the rules, directions, and true meaning of this my last will and testament, and the trust herein declared.

And for the better accomplishment of the elections of the said poor boys, my will is, and I do desire, that the Churchwardens and Overseers for the poor for the time being of the said respective towns, or townships, or the greater number of them shall and will, within six weeks after my decease, for the said eighteen to be first elected, and afterwards when, as often as there shall be cause, prepare several and respective bills of the names of double the number of such said poor boys to be taken up in, and out of their respective towns or townships, according to the true meaning of this my last will, upon request thereof to them to be first made by any the persons before herein mentioned, authorised, or appointed for the making of the same elections, which said bills respectively shall, together with the names of such said children, express their said several ages, and their father's names, and the names of the town or township whereof they are, and the day, and the year, when the said bills were made, and subscribed with the hands of the said churchwardens and overseers of the poor of the said towns and townships respectively, or the greater number of them, and shall be delivered to some of the persons before mentioned, authorised or appointed for making of the said elections; that the same may be communicated to the rest, to the end such elections as aforesaid may be made of the said poor children in the said bills to be named, or some of them, or of any others of the same towns respectively, according to the good discretions of the said persons before-mentioned, authorised or appointed for the making of the said elections, whom I desire to take the advice, or directions of such said churchwardens, and overseers, nor concluded thereby.

Churchwardens and overseers of the respective towns, to prepare lists of double the number of boys to be elected, with their ages, &c.

The lists to be subscribed by the churchwardens and overseers.

Feoffees not to be concluded or restricted by the bills of the churchwardens and overseers.

Also it is my will and mind, and I do hereby desire, and appoint, that the said two and twenty poor male children by me taken up, and maintained in my life-time, and such eighteen others, as shall be added unto them, to make up, and complete

the said number of forty, by such new elections as aforesaid, and all other such poor male children, as shall at any time, or times, for ever happen to be elected, and appointed to succeed, or come in, or to any the rooms, steads, or places of any of the said forty poor children, according to the true meaning of this my last will and testament, shall be respectively well and sufficiently maintained, and kept with meat, drink, lodging, and apparel, and also educated and brought up to learning, or labour in the towns of Manchester and Salford aforesaid, or one of them, by and with the profits, issues, benefits, and revenues of the said lands, tene-ments, rents, and hereditaments so by my said executors, or either of them to be purchased as aforesaid, the said children and every of them to be so maintained, kept, educated, and brought up, as aforesaid, respectively for so long time, and until they and every of them shall accomplish his or their respective age of fourteen years, and for such time afterwards, as until they may be conveniently bound apprentice or otherwise preferred or provided for, according to the true meaning of this my last will, and no longer.

The poor boys to be well and sufficiently maintained, and to be brought up to learning, or labour, in Manchester or Salford.

The boys to be kept and educated till they arrive at the age of fourteen.

Nevertheless my will and mind is, that the said feoffees or trustees, or the greater number of them, that shall be present at any meeting of the said feoffees or trustees, concerning the performance of this my last will upon cause of disorder, or misgovernment, refractoriness, infectious or incurable sicknesses, or diseases of any of the said poor boys, or other just cause conceived by the said feoffees or trustees, or such greater number of them as aforesaid, shall and may remove and displace any of the said poor boys, at any time or times before they come to their said age of fourteen years, and shall and may also withhold from, and deny, or refuse to pay, or allow unto or for all and every, or any such said boys, as shall be so displaced, all or any part of the benefits, means, or maintenance, which otherwise to him or them should have belonged by virtue of this my last will, according to the discretion of the said feoffees or trustees, or such greater number of them as aforesaid.

Feoffees to have power to displace boys for misbehaviour, incurable sickness, or any other just cause.

Also it is my will and mind, and I do hereby devise, order, and appoint, that when and after the said children come to fourteen years of age respectively, from time to time for ever, that then, or

The boys, when of the age of fourteen, to

after as aforesaid, they be placed and put forth apprentices to some honest master, or otherwise preferred, or provided for, with some part of the issues and profits before mentioned, or with the profits of such easy labour, as they shall be set unto, to keep them from idleness, during such time as they shall be between ten and fourteen years of age, or more, or by both the means aforesaid, or otherwise as the greater number or so many of the feoffees or trustees aforesaid, as shall yearly meet for that and other purposes concerning the performance of this my last will, shall think fit and convenient.

be bound apprentice, or otherwise provided for, as the Feoffees shall think fit.

And nevertheless my will and mind is, that such poor boys as are or hereafter shall be elected and chosen within the parish of Bolton aforesaid, shall, after they attain to their several ages of fourteen years or more as aforesaid, be bound apprentices, or otherwise preferred, and provided for within the said town or parish of Bolton, or elsewhere, except in the parish of Manchester aforesaid; and that for that purpose, at the time of their being elected and chosen as aforesaid, it be assented unto by the churchwardens and overseers for the poor of and for the said parish of Bolton, and such of the inhabitants of the same parish, as shall be thought fit by the said feoffees or trustees for the time being, that they may return to be bound apprentices, or inhabit within the town or parish of Bolton aforesaid, after their several ages of fourteen years or more, or after such removal, or displacing as aforesaid, before their said ages of fourteen years.

Boys elected within the parish of Bolton, not to be bound apprentice in the parish of Manchester, and this to be assented to by the overseers of Bolton, at their election.

And furthermore, my will, desire, and mind is, that there be in the parish church of Manchester aforesaid, upon every Monday in Easter week, yearly for ever, and oftener, there or elsewhere, if need shall be, and as often as the said feoffees or persons entrusted, or to be entrusted as aforesaid, or the greater number of them shall for the time then being think fit; yearly meetings of the said feoffees, or trustees, and persons aforesaid, or so many of them as can be present, to make such elections as aforesaid, to place, or displace the said children, as there shall be cause, and to give directions for their maintenance, education, bringing up, and binding apprentices, or other preferments as aforesaid, to make leases of the lands, and hereditaments to be purchased by my executors, or either of them as aforesaid, to audit accounts,

The Feoffees to meet yearly, every Monday in Easter week, in the parish church of Manchester, or elsewhere, to elect boys, and do all other business.

and to order all the other affairs and businesses touching the premises, according to such orders, instructions, and directions, and in such sort, manner, and form as is, or are in this my last will contained, and expressed, which said meeting, to be yearly kept upon every Easter Monday, my will is, that the same shall begin about one of the clock in the afternoon of the said Mondays yearly for ever.

The aforesaid meeting to begin about one o'clock in the afternoon, and notice to be given to the feoffees of all other meetings, except this.

And my mind is, that notice be given unto, or left at the houses of every of the said feoffees or trustees, for the time being, of the time and place of every meeting, touching the premises (except the said constant yearly meeting upon Easter Monday as aforesaid.)

The Feoffees empowered from time to time, as they see fit, to supply, alter, or amend any rules or directions laid down.

And my will and mind further is, that wherein the same orders, instructions, or directions are, or hereafter by experience, or alterations of times, or affairs, or otherwise, shall be found defective, short, or insufficient for the well ordering, governing, or managing of the said poor boys, and the affairs of the said Hospital; that the same shall be from time to time for ever supplied, altered, or amended, by the wisdoms, and good discretions of the said feoffees, or persons intrusted, or to be intrusted, to whom, or whose use or uses, the said lands and premises, or in default thereof the annual rent, or yearly sums of money aforesaid, are, or shall be, or are hereby meant, or intended to be willed, devised, bequeathed, limited, or appointed, granted, assigned, conveyed, or assured for, or in behalf of the said poor boys, or by the wisdoms and discretions of the greater number of them for the time being.

Recital of the settlement of his lands in Turton, with power to charge the same.

And whereas I have heretofore in, or by my indenture or deed bearing date the ninth day of August, which was in the year of our Lord God one thousand six hundred and fifty, and made between me the said Humphry Chetham upon the one part, and William Langton, of Broughton, in the said county of Lancaster, Esq. Robert Mawdsley, of Mawdsley, in the said county of Lancaster, Esq. Oswald Mosley of Manchester aforesaid, Gent. and John Lomax, of Chetham aforesaid, Gent. upon the other part, given, granted, enfeoffed, and confirmed, or otherwise conveyed, and assured unto the said William Langton, Robert Mawdsley, Oswald Mosley, and John Lomax, and their heirs, all that and those the manor or

lordship of Turton, with the rights, members, and appurtenances thereof in the aforesaid county of Lancaster, and all that the capital messuage, or mansion house of or in Turton aforesaid, then or theretofore called or known by the name of Turton Tower, and all and every the demesnes and demesne lands, and other hereditaments thereunto belonging; and also all and singular other the messuages, cottages, houses, mills, lands, tenements, demesnes, and demesne lands, and other lands, and grounds, meadows, pastures, fields, closes, feedings, moors, commons, wastes, mines, tithes, and other hereditaments whatsoever, with their and every of their appurtenances, situate, lying and being in Turton aforesaid, and in Harwood, in the parish of Bolton in the Moors aforesaid, and in Westleigh, and Horwich in the said county of Lancaster, and in Bolton nigh Bolland in the county of York, and in every, or any of the parishes, towns, townships, villages, hamlets, fields, precincts, or territories of Turton, Harwood, Westleigh, Horwich, and Bolton nigh Bolland aforesaid, in whose tenures, possessions, or occupations soever, the aforesaid manor, messuages, lands, tenements, and hereditaments last before herein mentioned, or any of them, then were, or had been, whereof, or wherein I the said Humphrey Chetham then had any estate of inheritance in possession, reversion, remainder, or otherwise, to have and to hold the said manor, messuages, lands, tenements, and hereditaments, last mentioned, with their and every of their appurtenances, unto the said William Langton, Robert Mawdsley, Oswald Mosley, and John Lomax, and their heirs for ever, to the use and behoof of the said George Chetham, (son of my said brother James Chetham) and the heirs male of the body of the same George Chetham lawfully begotten, and to be begotten, and for default of such issue, then to the use and behoof of the aforesaid named Edward Chetham, and the heirs male of his body lawfully begotten, and to be begotten, and for default of such issue, then to the use and behoof of the aforesaid named Edward Chetham, and the heirs male of his body lawfully begotten, and to be begotten, and for default of such issue, then to the use and behoof of George Chetham then of Clayton aforesaid, in the county of Lancaster, Gent. (son of Ralph Chetham, Gent. deceased) late brother of me the said

Humphrey Chetham, and to the heirs male of the body of the same George Chetham, son of the said Ralph Chetham, thereafter lawfully to be begotten, and for default of such issue, then to the use and behoof of the right heirs of me the said Humphrey Chetham for ever.

And to the further use and intent, and it was in and by the said indenture or deed amongst other things expressed, or provided, that it should and might be lawful to and for me the said Humphrey Chetham, at all times hereafter, during my natural life, by any deed or deeds in writing, to be sealed and delivered in the presence of two or more sufficient witnesses, or by my last will and testament in writing, to be published in the presence of two or more witnesses, to grant, limit, bequeath, devise, will, appoint, or assure unto any person or persons, and for any estate or estates whatsoever, one or more annual or other rent or rents, sum or sums of money, to be yearly issuing, payable, perceived, going, or taken out of, and in all and every, or any of the said manor, messuages, lands, tenements, hereditaments, and premises last before mentioned, or out of, or in any part or parcel thereof, and the same to have such continuance, and to be so yearly, or otherwise payable, and to and for such uses, behoofs, intents, and purposes, and under and upon such sum and sums of money, in name of penalty, or other forfeiture for non-payment thereof, or of any part thereof, and at such feast days and times, and in such sort, manner, and form absolutely, limitably, or conditionally, as to me the said Humphrey Chetham should seem meet and expedient: and further, as in and by the said indenture or deed (relation thereunto being had more fully and at large) it doth and may appear, now my full will and mind is, for and towards the better performance and accomplishment of this my last will and testament, touching the relief, maintenance, education, bringing up and binding apprentice of the said poor boys as aforesaid, and the purchase and settlement of lands for that purpose; and lest the said George Chetham (son of my said brother James Chetham) should not for his part perform this my last will and testament, and accomplish the trust by me in him reposed, for and concerning the purchase of lands, tenements, rents, or hereditaments, and the settling and assuring thereof for the relief,

maintenance, education, and bringing up, and binding apprentice
 of the said poor boys as aforesaid, within convenient time after
 my decease, I do therefore hereby will, devise, and bequeath, He devises the
yearly rent charge of
£180. to the Feoffees,
out of his lands in
Turton, towards the
pious uses aforemen-
tioned.
 limit, and appoint, according to my said power, liberty, or
 authority, unto the aforesaid Richard Holland, Alexander Barlow,
 &c. &c. and their heirs and assigns for ever, one annual rent or
 yearly sum of ninescore pounds, of good and lawful money of
 England, to be yearly issuing, payable, perceived, received, had,
 and taken out of, and in all, and singular the said manor, messua-
 ges, lands, tenements, and hereditaments, in or by the said last-
 mentioned deed, or indenture granted, conveyed, or assured, as
 aforesaid, and out of, and in every part and parcel thereof, to have
 and to hold and yearly to perceive, receive, and enjoy, and take
 the said annual rent, or yearly sum of ninescore pounds, and every
 part and parcel thereof, unto the said Richard Holland, Alexan-
 der Barlow, &c. &c. and their heirs and assigns for ever, imme-
 diately from, and after the decease of me the said Humphrey
 Chetham, under, and upon the proviso or condition hereafter
 herein nextly mentioned, the same annual or yearly rent, or sum
 of one hundred and eighty pounds, to be payable, and paid yearly
 unto the said Richard Holland, Alexander Barlow, &c. &c. and
 their heirs and assigns, in, or upon the feast days of the birth of
 our Lord God, and the Nativity of St. John the Baptist, by even
 and equal portions, at, or in the south porch of the parish church
 of Manchester aforesaid; and the first payment thereof to com-
 mence and begin in, or upon such of the same feast days, which
 shall next happen, after the decease of me the said Humphrey
 Chetham. The above rent
charge payable at
Midsummer & Christ-
mas, in the south
porch of Manchester
church.

Provided always, and upon condition, and nevertheless my will
 and mind is, that in case the said George Chetham, (son of my said
 brother James Chetham,) or the heirs male of the body of the
 same George Chetham, shall and do, at any time after my decease,
 purchase or buy some lands, tenements, rents, or hereditaments,
 of the clear yearly value of one hundred and eighty pounds as
 aforesaid, of any and for a good estate in fee simple; and shall
 sufficiently and effectually convey, settle, and assure, or cause the
 same to be sufficiently and effectually conveyed, and assured as
 aforesaid, unto the said Richard Holland, Alexander Barlow, &c.

&c. and their heirs and assigns, or the survivors or survivor of them, their and his heirs and assigns as aforesaid, to and for the uses, behoofs, intents, and purposes before mentioned, and in manner and form as aforesaid; that then, and from thenceforth, that is to say, from, and after such purchase, settlement, and assurance as aforesaid, the said yearly rent charge, or yearly sum of one hundred and eighty pounds charged or chargeable upon the said manor, messuages, lands, tenements, hereditaments, and premises in the said deed mentioned, shall cease and be no longer paid, or payable in any wise; but that the said manor or messuages, tenements, lands, and hereditaments last mentioned, shall be for ever thereafter discharged, freed, and acquitted, of and from the payment thereof, and of every part and parcel thereof.

This rent to cease upon the settlement of other lands of the same yearly value, by George Chetham.

And my will and mind is, that the same annuity, annual and yearly rent or sum of one hundred and eighty pounds, shall and may be used, employed, and disposed of, for, and during the continuance thereof as aforesaid, to and for the relief, maintenance, education, bringing up, and binding apprentices, or other preferment of the said poor boys, in such manner and sort, as the profits, issues, rents, and revenues of the aforesaid lands, tenements, and hereditaments, to be purchased and bought by the said George Chetham, (son of my said brother James Chetham,) by, and with the sum of three thousand pounds, parcel of the aforesaid sum of five thousand three hundred pounds, to him by me formerly herein bequeathed in that behalf, in case the same were purchased, should be, and are herein and hereby limited and appointed.

This rent charge to be employed for the pious uses aforesaid.

And I do hereby further limit, devise, bequeath, and appoint, that they the said Richard Holland, Alexander Barlow, &c. &c. and their heirs and assigns, and the survivors and survivor of them, their and his heirs and assigns, and every of them, shall, and may distrain for the said annual or yearly rent, or sum of one hundred and eighty pounds, in or upon the aforesaid manor, messuages, lands, tenements, hereditaments, and premises, in, or by the said last mentioned deed or indenture granted, conveyed, or assured as aforesaid, or any part or parcels thereof, in case the same be in arrear, at any the days and times before mentioned, as in case of a rent charge.

The Feoffees to distrain for the said annual rent, if not paid.

And whereas also I the said Humphrey Chetham have in or by my deed or indenture, bearing date the eighth day of this instant December, and made between me the said Humphrey Chetham upon the one part, and the before-named William Langton, Robert Mawdsley, Oswald Mosley, and John Lomax, upon the other part, given, granted, enfeoffed, and confirmed, or otherwise conveyed and assured unto the said William Langton, Robert Mawdsley, Oswald Mosley, and John Lomax, and their heirs and assigns for ever, all that capital messuage, or manor house, situate and being in Clayton, in the said county of Lancaster, commonly called or known by the name of Clayton Hall, with the rights, members, and appurtenances thereof, in the aforesaid county of Lancaster, and all and singular the messuages, houses, edifices, buildings, dove-houses, barns, stables, cow-houses, ox-houses, mills, kilns, orchards, gardens, curtilages, parks, lands, tenements, demesnes and demesne lands, and other lands and grounds, meadows, pastures, fields, closes, feedings, rents, reversions, services, courts leet, view of franck pledge, courts baron, perquisites, and profits of courts, and leets, franchises, jurisdictions, privileges, pre-eminences, wastes, commons, mines, profits and hereditaments whatsoever, with their, and every of their appurtenances, situate, lying and being in Clayton aforesaid, or elsewhere in the said county of Lancaster, to the said capital messuage or manor house lying, belonging, or in any wise appertaining; and also all and singular other the messuages, cottages, houses, edifices, buildings, dove-houses, barns, stables, mills, dams, mill-pools, streams, currents of water and waters, water-courses, soken suite, multure and grist, kilns, curtilages, orchards, gardens, parks and impaled or inclosed grounds or lands, lodges, lands, tenements, demesnes and demesne lands, and other lands and grounds, meadows, pastures, fields, closes, feedings, woods, waste grounds, underwoods, highways and other ways and passages, and the soil and ground of the same, rents, reversions, services, courts-leet, view of frank pledge, courts-baron, perquisites and profits of courts and leets, franchises, jurisdictions, privileges, pre-eminences, commons, common of pasture, moss and turbarie, and the ground and soil of the same moss and turbarie, fishings, free warren, mines, profits, and here-

Recital of his settlement of Clayton, with power to charge the same.

ditaments whatsoever, with their, and every of their appurtenances, situate, lying, and being within the towns, townships, villages, hamlets, fields, precincts, and territories of Clayton and Manchester aforesaid, and Failesworth, Droylsden, Gorton, and Newton, within the parish of Manchester aforesaid, and in Woodhayes, within the parish of Ashton-under-Line, and in every or any of them, in the said county of Lancaster, or elsewhere in the parish of Ashton-under-Line aforesaid, in whose tenures, possessions, or occupations soever the aforesaid hereditaments and premises, or any of them, then were, or had been, whereof, or wherein I the said Humphrey Chetham then had any estate of inheritance in possession, reversion, and remainder, or otherwise, and the reversion and reversions, remainder and remainders of all and singular the same premises, and of every part and parcel thereof, to have and to hold the said capital messuage or manor-house, and all and singular other the messuages, lands, tenements, hereditaments, and all and every other the premises, with their, and every of their appurtenances, in, or by the said last mentioned deed or indenture granted, or meant, or mentioned to be therein, or thereby granted, conveyed, or assured as aforesaid, unto the said William Langton, Robert Mawdsley, Oswald Mosley, and John Lomax, and their heirs for ever, to the use and behoof of me the said Humphrey Chetham, and the heirs of my body lawfully begotten; and for default of such issue, then to the use and behoof of the aforesaid George Chetham, (son of my said brother James Chetham) and of the heirs male of the body of the said George Chetham, (son of my said brother James Chetham) lawfully begotten, and to be begotten; and for default of such issue, then to the use and behoof of the said George Chetham, (son of my said brother Ralph Chetham) and of the heirs male of the body of the same George Chetham, hereafter lawfully to be begotten; and for default of such issue, then to the use and behoof of the right heirs of me the said Humphrey Chetham for ever.

And to the further use and intent, and it was in and by the same indenture or deed, amongst other things expressed or provided, that it should, and might be lawful for me the said Humphrey Chetham, at any time or times thereafter, during my

natural life, by any my deed or deeds, in writing, to be sealed and delivered in the presence of two or more sufficient witnesses, or by my last will and testament in writing, to be published in the presence of two or more witnesses, to grant, bequeath, will, appoint, or assure unto any person or persons, and for any estate or estates whatsoever, one or more annual rent or rents, sum or sums of money, to be yearly issuing, payable, perceived, going or taken out of, and in all, and every, or any the said capital messuage, and other the messuages, mills, lands, tenements, hereditaments, and premises last before herein mentioned, or out of, and in any part, or parcel thereof, and the same to have such continuance, and to be so yearly, or otherwise, payable, and to, and for such uses, behoofs, intents, and purposes, and under, and upon such sum and sums of money, in name of penalty or other forfeiture for non-payment thereof, or any part thereof, and at such feast days and times, and in such sort, manner, and form, absolutely, limitably, or conditionally, as to me the said Humphrey Chetham should seem meet and expedient; and further as in and by the same indenture or deed, (relation thereunto being had) may more fully and at large appear.

Now my will and mind is, and for, and towards the better performance, and accomplishment of this my last will and testament, touching the relief, maintenance, education, bringing up, and binding apprentice of the said poor boys as aforesaid, and the purchase and settlement of lands for that purpose.

And lest the said George Chetham (son of my said brother James Chetham), should not for his part perform this my last will and testament, and accomplish the trust by me in him reposed, for, and concerning the purchase of lands, tenements, rents, and hereditaments, and the settling and assuring thereof for the relief, maintenance, education, bringing up, and binding apprentice of the said poor boys as aforesaid, within convenient time after my decease, I do therefore hereby will, devise, bequeath, limit, and appoint according to my said power, liberty, and authority, unto the aforesaid Richard Holland, Alexander Barlow, &c. &c. and their heirs and assigns for ever, one annual rent, or yearly sum of one hundred and thirty-eight pounds more, of like lawful money of England, to be yearly issuing,

He devises to the feoffees the clear yearly rent charge of £138. out of his lands in Clayton, &c.

payable, perceived, received, had, and taken out of, and in all, and singular the said capital messuage, and other the messuages, mills, lands, tenements, hereditaments, and premises, in or by the said last mentioned deed or indenture granted, conveyed, or assured as aforesaid, or out of, or in any part or parcel thereof, to have, hold, and yearly to receive, perceive, enjoy, and take the said annual rent, or yearly sum of one hundred and thirty-eight pounds, and every part and parcel thereof, unto the said Richard Holland, Alexander Barlow, &c. &c. and their heirs and assigns for ever, under and upon the proviso or condition hereafter herein nextly mentioned, the same annual or yearly rent, or sum of one hundred and thirty-eight pounds to be payable, and paid yearly unto the said Richard Holland, Alexander Barlow, &c. &c. their heirs and assigns, in, or upon the feast days of the birth of our Lord God, and the Nativity of St. John the Baptist, by even and equal portions, at, or in the south porch of the parish church of Manchester aforesaid; and the first payment thereof to commence and begin, in, or upon such of the same feast days, which shall first happen, next after the decease of me the said Humphrey Chetham.

This rent charge to be paid at Christmas and Midsummer in Manchester church porch.

Provided always, and upon condition, and nevertheless my will and mind is, that in case the same George Chetham, or the heirs male of his body, shall, and do, at any time after my decease, purchase and buy some lands, tenements, rents, or hereditaments, of the clear yearly value of one hundred and thirty-eight pounds as aforesaid, of and for a good and firm estate in fee simple, and shall sufficiently and effectually convey, settle, and assure, or cause the same to be sufficiently and effectually conveyed, and assured unto the said Richard Holland, Alexander Barlow, &c. &c. and their heirs and assigns, or the survivors and survivor of them, their, and his heirs and assigns as aforesaid, to, and for the uses, behoofs, intents, and purposes before mentioned, and in manner and form as aforesaid, that then, and from thenceforth, that is to say, from, and after such purchase, settlement, and assurance as aforesaid, the said yearly rent charge, or yearly sum of one hundred and thirty-eight pounds, so charged, or chargeable upon the said capital messuage, and other the messuages, mills, lands, tenements, hereditaments, and premises last men-

This rent to cease, upon the settlement of lands of the same clear yearly value upon the feoffees, by George Chetham, or his issue male.

tioned, shall be for ever thereafter discharged, freed, and acquitted of, and from the payment thereof, and of every part and parcel thereof.

And my will and mind is, that the same annuity, yearly rent, or sum of one hundred and thirty-eight pounds, shall, and may be used, employed, and disposed of, for, and during the continuance thereof as aforesaid, to and for the relief, maintenance, education, and bringing up, and binding apprentice, or other preferment of the said poor boys, in such manner and sort, as the profits, issues, rents, and revenues of the aforesaid lands, tenements, and hereditaments, to be purchased and bought by the said George Chetham, (son of the aforesaid James Chetham) by, and with the sum of two thousand three hundred pounds, residue of the aforesaid sum of five thousand three hundred pounds, to him by me formerly herein bequeathed, in case the same were purchased, should be, and are herein and hereby, limited and appointed.

This yearly rent of £138. to be employed for the pious uses aforesaid.

And I do hereby further limit, devise, bequeath, and appoint, that they the said Richard Holland, Alexander Barlow, &c. &c. and their heirs and assigns, and the survivors or survivor of them their and his heirs and assigns, and every of them, shall and may distrain for the said annual or yearly rent, or sum of one hundred and thirty-eight pounds in, or upon the aforesaid capital messuage, and other the messuages, mills, lands, tenements, hereditaments, and premises, in, or by the said last mentioned deed or indenture granted, conveyed, or assured as aforesaid, or any part or parcel thereof, in case the same be in arrear, at any the days or times before mentioned, as in case of a rent charge.

The feoffees to distrain for this rent, in case it be in arrear.

And whereas I have likewise in or by one other indenture or deed, bearing date the aforesaid ninth day of August, which was in the said year of our Lord God 1650, and made between me the said Humphrey Chetham upon the one part, and the said William Langton, Robert Mawdsley, Oswald Mosley, and John Lomax, upon the other part, given, granted, enfeoffed, and confirmed, or otherwise conveyed, or assured unto the said William Langton, Robert Mawdsley, Oswald Mosley, and John Lomax, and their heirs, all those the messuages, barns, and other buildings, with their appurtenances, lately erected by me the

Recital of the settlement of lands in Ordsall and Pendleton, with power to change the same.

said Humphrey Chetham, situate and being in Ordsall, and Pendleton, or either of them, in the county of Lancaster, then or late in the tenure or occupation of me the said Humphrey Chetham, or of my assigns; and all those lands, tenements, closes, closures, parcels of land, and hereditaments of me the said Humphrey Chetham, with their appurtenances, situate, standing, and being in Ordsall, and Pendleton aforesaid, or in either of them, or elsewhere within the parish of Eccles, in the said county of Lancaster, or within Salford aforesaid, in the said county of Lancaster, or in any of them, commonly called or known by the several or other name or names of the Massie-Bottoms, the Thorny Sholsworth otherwise Suzeworth, the Barn-Stidds, the Little Sholsworth otherwise Suzeworth, the Hall-Stidds, the Lady Meadows, the two Pin-gates, the Dobb-Field, the Broad-Hey, the Great Sawfield, the Flat Sholsworth or otherwise Suzeworth, the Warth, the Withens, the Brookes, the Hyde-Acre, the Roadley otherwise Bodley, the Catley-Banks, the Little Sawfield, the Mill-field, and the Tunstall otherwise Gunstall, or by what other name, or names soever, the same closes, closures, and parcels of land, and every, or any of them theretofore had been, then were, or might be called or known late, or theretofore, in the several or other tenures or occupations of Sir Alexander Radcliffe, Knight of the Bath, Humphrey Booth, Gentleman, then deceased, and Laurence Bradshaw, Gentleman, or their assigns, and then in the tenure of me the said Humphrey Chetham, or of my assignee or assignees, and all, and singular other the messuages, houses, edifices, buildings, barns, stables, lands, tenements, and hereditaments whatsoever, of me the said Humphrey Chetham, situate and being in Salford, Ordsall, and Pendleton, aforesaid, or in any of them, or elsewhere within the said parish of Eccles; to have and to hold the said messuages, barns, buildings, lands, tenements, closes, and parcels of lands, hereditaments, and premises last before mentioned, with their, and every of their appurtenances, unto the said William Langton, Robert Mawdsley, Oswald Mosley, and John Lomax, and their heirs for ever, to the use and behoof of me the said Humphrey Chetham, and the heirs male of his body lawfully begotten; and for default of such

issue, then to the use and behoof of the right heirs of me the said Humphrey Chetham, for ever.

And to the further use and intent, and it was in and by the same indenture or deed, amongst other things expressed or provided, that it should and might be lawful to, and for me the said Humphrey Chetham, at all times hereafter during my natural life, by any my deed, or deeds in writing, to be sealed, and delivered in the presence of two, or more sufficient witnesses, or by my last will and testament in writing, to be published in the presence of two, or more witnesses, to grant, limit, bequeath, devise, will, appoint, or assure unto any person or persons, and for any estate or estates, whatsoever, one, or more annual or other rent or rents, sum or sums of money, to be yearly issuing, payable, perceived, going or taken out of, and in all, and every, or any the said messuages, barns, lands, tenements, closes, and parcels of land, hereditaments, and premises last before mentioned, or out of, and in any part or parcels thereof; and the same to have such continuance, and to be so yearly or otherwise payable, and to, and for such uses, behoofs, intents, and purposes, and under, and upon such sum, and sums of money, in name of penalty, or other forfeiture for non-payment thereof, or any part thereof, and at such feast-days or times, and in such sort, manner, and form, absolutely, limitably, or conditionally, as unto me the said Humphrey Chetham should seem meet and expedient, and further, as in and by the indenture or deed (relation thereunto being had) may more fully and at large appear.

Now my full will and mind is, and for, and towards the better performance, and accomplishment of this my last will and testament, touching the relief, maintenance, education, bringing up, and binding apprentice of the said poor boys as aforesaid, and the purchase and settlement of lands for that purpose; and lest the said Edward Chetham should not for his part, perform this my last will and testament, and accomplish the trust by me in him reposed, for, and concerning the purchase of lands, tenements, rents, hereditaments, and the settling and assuring thereof, for the relief, maintenance, education, bringing up, and binding apprentice the said poor boys as aforesaid, within convenient time after my decease, I do therefore hereby will, devise, bequeath,

He devises to the
feoffees the clear
yearly rent of £102.
out of his lands in
Ordsall, &c.

limit and appoint, according to my said power, liberty and authority, unto the aforesaid Richard Holland, Alexander Barlow, &c. &c. and their heirs and assigns for ever, one annual rent, or yearly sum of one hundred and two pounds of good and lawful money of England, to be yearly issuing, perceived, had, and taken out of, and in all, and singular the messuages, barns, lands, tenements, closes, and parcels of land, hereditaments, and premises in, or by the said last-mentioned deed or indenture granted, conveyed, or assured as aforesaid, or out of, or in any part or parcel thereof, to have, hold, and yearly to receive, perceive, and take the said annual rent, or yearly sum of one hundred and two pounds, and every part and parcel thereof, unto the said Richard Holland, Alexander Barlow, &c. &c. and their heirs and assigns, for ever, immediately from, and after the decease of me the said Humphrey Chetham, under, and upon the proviso or condition hereafter herein nextly mentioned, the same annual rent, or yearly sum of one hundred and two pounds, to be payable, and paid yearly, unto the said Richard Holland, Alexander Barlow, &c. &c. their heirs and assigns, in, or upon the feast days of the birth of our Lord God, and the nativity of St. John the Baptist, by even and equal portions at, or in the south porch of the parish church of Manchester; and the first payment thereof to commence and begin in, or upon such of the said feast days, which shall first happen next after the decease of me the said Humphrey Chetham.

This rent of £102.
to be paid at Christ-
mas and midsummer,
in the south porch of
Manchester church.

Provided always, and upon condition, and nevertheless my will and mind is, that in case the said Edward Chetham, or the heirs male of his body shall, and do at any times, after my decease purchase and buy some lands, tenements, or hereditaments of the clear yearly value of one hundred and two pounds as aforesaid, of and for a good and firm estate in fee-simple, and shall sufficiently and effectually convey, settle, and assure, or cause the same to be sufficiently and effectually conveyed, and assured unto the said Richard Holland, Alexander Barlow, &c. &c. and their heirs and assigns, or the survivors or survivor of them, their and his heirs and assigns as aforesaid, to, and for the uses, behoofs, intents, and purposes before mentioned, and in manner and form as aforesaid, that then, and from thenceforth, to wit, from and after such purchase, settlement, and assurance as aforesaid, the

said yearly rent-charge, or yearly sum of one hundred and two pounds so charged, or chargeable upon the said messuages, barns, lands, tenements, closes, and parcels of land, hereditaments, and premises in, or by the last mentioned deed granted, or conveyed as aforesaid, shall cease, and be no longer paid, or payable in any wise; but that the said messuages, barns, lands, tenements, closes and parcels of land, hereditaments and premises last mentioned, shall be for ever hereafter discharged, freed, and acquitted of and from the payment thereof, and of every part and parcel thereof.

This rent-charge to cease upon the settlements of other lands, of the same clear yearly value, to the same use by Edward Chetham.

And my will and mind is, that the same annuity, yearly rent, or sum of one hundred and two pounds shall and may be used, or ordered, employed, and disposed of, for and during the continuance thereof as aforesaid, to and for the relief, maintenance, education, bringing up, and binding apprentice, or other preferment of the said poor boys, in such manner and sort, as the profits, issues, rents, and revenues of the aforesaid lands, tenements, and hereditaments, to be purchased and bought by the said Edward Chetham, by and with the said sum of one thousand seven hundred pounds, to him by me formerly herein bequeathed (in case the same were purchased) should be, and are herein, and hereby limited and appointed.

This rent of £102. to be employed for the pious uses aforesaid.

And I do further hereby limit, devise, bequeath and appoint, that they the said Richard Holland, Alexander Barlow, &c., &c., and their heirs and assigns, and the survivors and survivor of them, their and his heirs and assigns, and every of them shall and may distrain for the said annual or yearly rent, or sum of one hundred and two pounds, in or upon the said messuages, barns, lands, tenements, closes and parcels of land, hereditaments and premises in, or by the last mentioned deed or indenture granted, conveyed, assured as aforesaid, or any parts or parcels thereof, in case the same be in arrears, at any of the days or times aforementioned, as in case of a rent-charge.

The feoffees may distrain for the said rent, if in arrear.

And furthermore my will and mind is, that the said several yearly rents, charges, or sums of money shall, and may be granted, conveyed, and assigned by the survivors of the said Richard Holland, Alexander Barlow, &c., &c., when there are only twelve of them in full life, or sooner, if the survivors of them shall think fit, for the time being, in like manner and form

The feoffees, when there are only twelve of them in full life, or sooner, to grant over to others the same rents, to the same uses.

George and Edward Chetham, and their heirs male not to be grantees.

as the aforesaid lands and hereditaments, in case the same were purchased, are by the true intent and meaning of these presents to be conveyed, and assured under, and upon the trust and confidence, and to, and for the uses, purposes, and intents before mentioned; nevertheless under, and upon the several provisos and conditions respectively before herein mentioned, and according to the tenor, or purport, true intent, and meaning hereof, saving that the said George Chetham (son of my said brother James Chetham) or Edward Chetham, nor the heirs male of their bodies, are to be grantees, of feoffees thereof, or therein, in regard they may have estates in the said lands and premises so to be charged, and chargeable with the said rents, and sums of money as aforesaid.

The poor boys to live together.

He devises £500. to his executors, to buy, or build a house for that use, in Manchester or Salford.

And because my will and mind is, that the same poor boys may cohabit, and live together in one house, or two, as may be thought convenient, and under good government; I do give, devise, and bequeath unto my executors the sum of five hundred pounds, of good and lawful money of England, to the intent and purpose, that they shall buy, and purchase therewith, some fitting and convenient house, or houses, in Manchester, or Salford aforesaid, or some convenient parcel of land in, or near Manchester, or Salford aforesaid, and thereupon to erect a house, or houses, which said house, or houses so to be bought, or built, shall be an hospital for the habitation of the said forty poor boys, their governors, officers, and servants, (other than their treasurer and receiver) successively for ever, to the pleasure of Almighty God.

He desires that the College may be purchased, if it may be had, and conveyed to the feoffees, as the other lands.

And my desire is, that the great house, with the buildings, out-houses, courts, yards, gardens and appurtenances, in Manchester aforesaid, called the college, or the college house, may be purchased, and bought for the same purpose, (if it may be had, and obtained upon good terms, and for a good estate;) and I do devise and desire, the same course might be taken for the settling, estating, conveying, and assuring of the said house, or houses, and premises so to be bought, or built for an hospital, or habitation for forty poor boys, and their officers, as aforesaid, unto, and upon the said Richard Holland, Alexander Barlow, &c., and their heirs and assigns for ever, for the use, and behoof of them

the said Richard Holland, Alexander Barlow, &c., &c., and of my said executors, and of the survivors and survivor of them for ever; nevertheless to, and for the habitation of the said governor, poor boys, officers, and servants, (other than the said treasurer or receiver) and under, and upon such condition of enfeoffeing over, as the said other lands, and hereditaments to be purchased are to be, and, if it conveniently may be, the same to be conveyed and assured to the said feoffees, in, and by the same deed or assurance, as the said other lands, rents, or hereditaments, are to be conveyed, and assured.

And in the same deed, if it conveniently may be.

And my will and mind is, that, if hereafter it may be obtained, that the said hospital may be incorporated, and made a body politic, for the better ordering, governing, and managing thereof, and of the estate, and means by me to the same left, or given, that the same be done in as good form, way, and manner, as can or may be contrived, procured, or obtained.

He desires that the Hospital may be incorporated.

And my will and mind is, that there be at all times hereafter, forty pounds in the treasurer or receiver's hands, for the necessary supply of necessary occasions, touching the premises, as defence, or maintenance of the right and title belonging to the said feoffees, and hospital.

£40. to be always in the treasurer's hands, for necessary occasions.

And if any overplus or surplusage be of the said issues and profits, rents and revenues before mentioned, or of the said seven thousand pounds given unto my nephews, George and Edward as aforesaid, over and besides the discharge of the premises, then my will and mind is, that the same overplus be ordered, and employed, and disposed of to, and for the augmentation of the number of poor boys, or for the better maintenance and binding apprentice of the said forty poor boys, in such manner, as to the said feoffees for the time being, and persons entrusted, and to be entrusted as aforesaid, or the greater number of so many of them, as shall yearly meet as aforesaid, shall be thought fit; and that my executors, or the said feoffees, or other persons, trustees last before mentioned, shall have no private benefits by such overplus; and in case there be not enough to bind any of them apprentice, then that, which should have maintained him in the hospital, shall be employed for that purpose; and until that be done, no other is to succeed him in his place.

The overplus of the revenue, if there be any, to augment the number of poor boys.

If there be not enough to bind any of them apprentice, his place not to be filled up, till that money is saved.

And my will and mind is, that the said feoffees, or trustees for the time being, or the greater number of them, shall, and may, from time to time, set, or lease any parts, or parcels of the said lands and hereditaments, to be purchased as aforesaid, (excepting the Hospital House) with the appurtenances, for any number of years, not exceeding eleven years in possession, at any one time ; and so as upon the same there be reserved the full rent, or value, that can be obtained for the same ; and with such covenants and conditions for repair, and payment of the rent, or otherwise, as shall be thought fit by the said lessors.

The feoffees to have power to set, or lease the lands for eleven years, reserving the full rent.

Also I give and bequeath unto my said executors, and to the survivor of them, to be sold for, and towards the performance and accomplishment of this my last will and testament, all and every manor, or reputed manor, messuages, lands, tenements, rents, reversions, services, and hereditaments, with their, and every of their appurtenances, which are, or were conveyed, sold or mortgaged, unto me, or to, and for my use, by Robert Tatton of Withenshaw, in the county of Chester, Esq., and Anne his wife ; Richard Bannester of Breighmett, in the said county of Lancaster, Gent., and Katherine his wife ; Alexander Bannester, Gent., now deceased, late son of the said Richard, and by every, or any of them, together with all other manors, messuages, lands, tenements, rents, reversions, services, and hereditaments, with their, and every of their appurtenances, in the said county of Chester, or in Aynsworth, Tonge, or Brightmett in the said county of Lancaster, whereof, or wherein I the said Humphrey Chetham, or any other person, or persons entrusted for me, or to my use, have any estate, term, or interest whatsoever, in possession, reversion, remainder, use, or otherwise.

He gives all lands mortgaged to him, to be part of his personal estate, and towards the performance of his will.

A lease granted by Isabel Chetham, in trust for the testator, to be part of his personal estate.

Also whereas Isabel Chetham, widow, lately deceased, by indenture dated the second day of August, which was in the year of our Lord God one thousand six hundred and forty-one, did demise, bargain, and sell unto the said George Chetham, (son of my said brother James Chetham) and to my nephew George Traves, their executors, administrators, and assigns, certain messuages, lands, tenements, rents, reversions, services, and hereditaments, in the same indenture mentioned, for the term of nine hundred years, which was nevertheless in trust for me, and to,

and for such uses, as I, by my last will and testament, or otherwise, should direct, limit, and appoint; albeit it was not so expressed in the said indenture; I do hereby declare my will and mind to be, that the said lease, bargain, and sale, and all the benefits and profits, by virtue thereof, to be raised, and made out of, or by the said messuages, lands, tenements, rents, reversions, services and hereditaments, in the same indenture expressed, or any of them, shall be as part of my personal estate, and shall go, and be as assets in the hands of my executors, for, and towards the performance of this my last will and testament.

Provided always, and my will and mind further is, that in case any of the lands, or hereditaments aforesaid, which have been sold, conveyed, or mortgaged unto me, or to my use, by the said Robert Tatton, and Anne his wife; and Richard Bannester, and Katherine his wife; and Alexander Bannester, and by every, or any of them as aforesaid, as in the said last mentioned indenture expressed, may or ought to be redeemed, either in law or equity, by virtue of any condition annexed to the estate thereof, or otherwise; and that the same be hereafter redeemed accordingly: that then my executors shall have all the monies due, and to be received for all such redemptions, in lieu of the said lands and hereditaments formerly herein bequeathed, or intended, and so to be redeemed as aforesaid, for and towards the performance of this my last will; and the said redemption money, my will is, shall be employed according as the monies which otherwise might be raised by the sale of the said lands and hereditaments, should have been.

The money arising from the redemption of the aforesaid mortgaged lands to be part of his personal estate.

And my will and mind is, that the interest of the monies, and profits of the said lands, which shall be raised, or received out of all, and every of the said lands, tenements, hereditaments, before sale or redemption thereof, shall be assets in my executors' hands, and go towards the performance of this my last will and testament, as part of my personal estate.

The interest of the profits of the said lands, before redemption, to be part of his personal estate.

And I give and bequeath to the said George Chetham, (son of my brother James Chetham) all the estate, right, title, inheritance, term, interest, and demands, which I have of, in, out of, or unto any messuage, lands, tenements, rents, reversions, service, or hereditaments, in the parish of Bolton, nigh Bolland, in the

He giveth his lands in Bolton, near Bolland, to George Chetham.

county of York ; or in the forest of Gisburne in the said county of York, to have and to hold the same unto the same George Chetham, (son of my said brother James Chetham) and to his heirs, executors, administrators, and assigns, to, and for his, and their only uses, benefits and behoofs, for, and during, and according to my several estates, terms, and interests thereof, or therein, respectively.

Particular legacies
to his relations,
friends, and ser-
vants, to be paid
within six months
after his decease.

Also I do give and bequeath unto my said brother James Chetham, the sum of one hundred pounds ; and unto my sister Alice Chetham, one hundred pounds ; and I give unto my cousin Jane Kay, widow, one of the daughters of my said brother James Chetham, one hundred pounds ; and to my cousin Isabel, one other of the daughters of the said James Chetham, and now wife of one Richard Lomax, one hundred pounds.

Also I do give unto the said George Chetham, (son of my said brother Ralph Chetham) two hundred pounds ; and unto my cousin Mary, one of the daughters of the said Ralph, and now wife of the said John Cunliff, two hundred pounds ; and unto my cousin Margaret, now wife of the said John Tildsly, and one other of the daughters of the said Ralph Chetham, two hundred pounds ; and unto my cousin Elizabeth, one other of the daughters of my said brother Ralph, and now wife of Edward Crofton, two hundred pounds ; and I do give unto the said Edward Crofton fifty pounds more.

Also I do give and bequeath unto my nephew George Traves fifty pounds (the which said George doth now live with me at Clayton ;) and unto my cousin Richard Traves fifty pounds ; and unto my cousin James Traves fifty pounds.

Also I give unto Roger Walkden of Sharples, in the county of Lancaster, yeoman, forty pounds ; and unto my cousin Alice, wife of Richard Cowper, forty pounds.

Also I give unto my loving friend, Mr. Richard Johnson afore-said, preacher, at the Temple, London, sixty pounds.

Also I do give and bequeath unto my loving friend before-named, John Lightboune, fifty pounds.

And I do give and bequeath unto every of my servants, which shall dwell, or live with me, or in my service, at the day of my decease twenty shillings a-piece, all and every ; which said lega-

cies my will is, shall be paid to the several legatees aforesaid, their executors, or administrators, within six months after my decease.

And furthermore my will and mind is, that nevertheless the aforesaid gifts, legacies, bequests, and sums of money so by me before herein given, or bequeathed unto the said George Chetham, son of my said brother Ralph Chetham, Mary, now wife of John Cunliff, Margaret, now wife of the said John Tildsly, Edward Crofton, Elizabeth his now wife, George Traves, Richard Traves, Ralph Traves, James Traves, Roger Walkden, Alice, now wife of the said Richard Cowper, Jane Kay, and Isabel, wife of the said Richard Lomax, shall be, and are by me meant, and intended to be given, and bequeathed, upon this condition following, (that is to wit) that in case the said George Chetham, son of the said Ralph Chetham, John Cunliff, John Tildsly, Edward Crofton, George Traves, Richard Traves, Ralph Traves, James Traves, Roger Walkden, Richard Cowper, Jane Kay, and Richard Lomax, or any of them, shall refuse, deny, or neglect to give, seal and deliver general releases, and acquittances, to my said executors, for, and from all claims, matters, and demands whatsoever, at such time, or times, as my executors shall make payment of the said several legacies to them, or any of them, or any of their wives respectively given, or bequeathed as aforesaid; and so, as upon the sealing, and delivery of the said releases and acquittances respectively, they shall, and may receive their said legacies, gifts, and bequests before-mentioned, to them, or their wives given as aforesaid, that then the said gifts, legacies, and bequests before mentioned, of and belonging to such of them, or their wives, as shall so refuse, deny, or neglect to give, seal, and deliver general releases, and acquittances as aforesaid, shall respectively cease and be void, and determine, and not be paid to such of the same person, or persons so denying, refusing, or neglecting to give, seal, and deliver general releases, and acquittances as aforesaid; for my will and mind is, that the said persons last mentioned, and their wives, shall give such general releases and acquittances in the law for, and from all claims, matters and demands whatsoever as aforesaid, as they shall be

The legacies to his brother Ralph's children, his brother James's daughters, and his sister Travis's children, are given upon condition, that they seal general releases to his executors.

respectively required by my executors as aforesaid, at the time of their receipts of the gifts, or legacies before-mentioned.

These releases not to prejudice the trust reposed in John Cunliff, John Tildsly, Edward Crofton, and George Traves; nor to prejudice George Traves in the lands given him by the testator.

Saving that my will and mind is, that the releases, which the said John Cunliff, John Tildsly, Edward Crofton, and George Traves, are hereby required to give, shall no ways prejudice, nor be construed to prejudice the trust in them before herein, or hereafter herein by me reposed, with the other persons before-mentioned; nor the settlement of the lands to be purchased; or devises, or grants, or annuities, or rent-charges to them, with others, by or according to my last will, nor any thing touching the same; or any gift of lands, tenements, or hereditaments, settled upon the said George Traves by me; but the same shall, and may be excepted in their several releases, or acquittances, if need be, and that it be thought fit by my overseers.

He ratifies and confirms the three deeds before mentioned, made to William Langton, Robert Mawdsley and others.

And I do hereby ratify, approve, and confirm the aforesaid three deeds or indentures before or herein mentioned, to be by me made upon the said William Langton, Robert Mawdsley, Oswald Mosley, and John Lomax, and their heirs, and the estates, and uses thereby by me granted, or mentioned to be by me granted, according to the several tenors, and purports thereof, and under, and upon powers, provisos, liberties, and limitations therein respectively contained and expressed.

Edward Chetham to lay out £2000. given to him, upon lands, &c., and to settle the same upon himself and his children.

And whereas I have in, and by the aforesaid deed or indenture, being dated the eighth day of this instant December, charged the capital messuage, lands, hereditaments, and premises therein mentioned, and comprised, with the payment of the sum of two thousand pounds to the said Edward Chetham, for his own use, accordingly as is therein expressed, my will and desire is, that the same Edward do therewith, so soon as he can conveniently, after he hath received the said sum of two thousand pounds, lay the same out upon the purchase of some lands, tenements, or hereditaments, and settle the same upon himself and his children, in such manner as he shall think fit.

Mourning and funeral expenses to be at the discretion of his executors.

And touching the number of mourning garments or blacks, to be worn for me, and all the charges of my funeral, I do wholly leave, and refer the same to my two executors, to be by them considered of, and order according to their discretions.

Also I do hereby give and bequeath the sum of two hundred pounds, to be bestowed by my executors in godly English Books, such as Calvin's, Preston's, and Perkins's works; comments or annotations upon the bible, or some parts thereof, or such other books as the said Richard Johnson, John Tildsly, and Mr. Hollingworth, or any of them, shall think most proper for the edification of the common people, to be, by the discretion of my said executors, chained upon desks, or to be fixed to the pillars, or in other convenient places, in the parish churches of Manchester and Bolton in the Moors aforesaid, and in the chapels of Turton, Walmsley, and Gorton, in the said county of Lancaster, within one year next after my decease.

He gives £200. to be laid out in godly books, to be fixed in Manchester and Bolton.

Also others for the chapels of Turton, Walmsley, & Gorton.

Also I give unto my said executors one thousand pounds, to be by them bestowed in such books, as the said Richard Johnson, John Tildsly, and Richard Hollingworth, or any two of them, shall think fit for or towards a library within the town of Manchester, for the use of scholars, and others well affected, to resort unto, and if the said college, or college house in Manchester may be obtained, and purchased as aforesaid, then I would have some convenient part, or place thereof, or therein, such as my executors, and the said three persons last mentioned, together with my overseers hereafter herein mentioned, shall think fit to be the place for the same library, and where the same books may be laid, and disposed of, for the use of scholars, and others well affected as aforesaid; and if the same cannot be obtained, then I leave the election of the same library to the discretion of my said executors and overseers, and of the said Richard Johnson, John Tildsly, and Richard Hollingworth, or of the greater number of them, so as the same be in some of the chapels in the said church of Manchester, if the same can be obtained; or elsewhere in the town of Manchester; the same books there to remain as a public library for ever; and my mind and will is, that care be taken, that none of the said books be taken out of the said library at any time.

Also £1000. to be bestowed in books for a public library in Manchester, to be in the College, if it may be obtained, or elsewhere at the discretion of his executors, &c.

And my will, and mind, and desire is, that the ordering and disposing of the said books and library, may be by such persons,

The ordering of the books to be by the feoffees for the ordering the poor boys.

from time to time for ever as I have herein formerly appointed to be Feoffees, and persons intrusted for the ordering of the said poor children.

The books to be fixed or chained within the said library.

And my will and mind is, that the same books be fixed, or chained, as well as may be, within the said library, for the better preservation thereof.

He gives £100. to purchase, or prepare a place for a library.

And I do hereby give and bequeath unto my said executors one hundred pounds, to be by them bestowed in purchasing, providing, preparing, and repairing of some fit place for the said library, and necessities, and conveniences for the same purpose, the same to be settled and assured, as the same hospital house as aforesaid.

The executors to be allowed all the expenses they shall be put to in the execution of the will.

Also I will, that my executors shall be allowed all the charges, expenses, costs, and damages to the full, which they shall make appear to my overseers hereafter named, that they, or any of them shall have expended, disbursed, or sustained, or shall be put unto, by reason of the proving, or executing of this last will, or otherwise concerning the same, or in any wise touching my funeral charges before-mentioned.

The residue of his personal estate to be employed for the augmentation of the library.

And as touching, and concerning all the rest, residue, and remainder of all my goods, chattels, plate, leases for years, household stuff, and personal estate whatsoever, after all the gifts, legacies, and bequests before-mentioned, debts, funeral expenses, and other charges whatsoever, concerning this my last will, or the execution thereof, being paid and performed, and my said executors satisfied and saved harmless, and indemnified of, and for the same, out of my estate as aforesaid, I do will and devise, that all the said rest, residue, and remainder of my said personal estate shall be bestowed by my executors in books, by the discretion of the said Richard Johnson, John Tildsly, and Richard Hollingworth, or any of them, which are to be bought with the said sum of one thousand pounds, formerly herein by me for that purpose bequeathed; and the same shall be for the further augmentation of the said library.

He appoints overseers to see that his will be performed by his executors.

And I do desire and appoint my said loving friends, John Lightboun, and Ralph Worsley, and my said cousin Edward

Croston and George Traves, to be overseers of this my last will and testament, and to see the same performed by the executors, according to the great trust by me in them reposed.

And if, after my decease, there shall happen any controversy, doubt, or difficulty to arise concerning this my last will and testamentary disposition, or any part thereof, or of any ambiguities or doubt to grow by reason of the imperfection or defect of, or in any the words, sentences, or clauses herein contained, it is my will and mind that the whole deciding, determination, and exposition thereof shall be by the wisdoms and good discretions of my said overseers.

All doubts that may arise concerning the will, or any part thereof, to be determined by the said overseers.

And furthermore I do hereby revoke all, and every former, and other wills, legacies, bequests, executors, and overseers by me, in any wise, before the day of the date of these presents made, willed, bequeathed, or named.

He revokes all former wills.

And lastly I do approve, publish, and declare this writing, contained in four skins of parchment, upon every of which I have written my name, to contain my true, whole, and only last will and testament; and for further confirmation thereof I have set my seal, the day and year first above written, to wit the before-mentioned sixteenth day of December, in the year of our Lord God one thousand six hundred fifty and one.

Declares this writing, contained in the four skins of parchment, to be his true, whole, and only last will.

HUMPHRY CHETHAM.

Sealed, signed, published, and declared, by the within named Humphry Chetham, Esq., to be his last will and testament,—these words, “or of the said seven thousand pounds given to my said cousins George and Edward as aforesaid,”—and these words, “and in case there be not enough to bind them apprentice, then that which should have maintained him in the hospital shall be employed for that purpose, and until that be done, no other is to succeed him in his place,”—and these words, “nor any gifts of lands, tenements, or hereditaments settled upon the said George Travis,” by me being first interlined in the last skin of parchment.

And the said Humphry Chetham to every of the four skins did write his name, with his own hand, in the presence and witness of, being after the sealing and delivery of the within mentioned deed or indenture, bearing date the eighth day of this instant month of December, and after the same deed or indenture was executed by attornment.

THEOPHILUS HOWARTH,
JOHN LOMAX,
THOMAS BARRON,
PETER ASHETON,

ROBERT HAULGH,
JOHN CHORLTON,
RICHARD HARTLEY

In pursuance of the testator's directions, his executors, soon after his decease, purchased the premises called the College, and fitted up part of it for a Hospital, and another part for a Library, the expense of which, as appears by their accounts annexed to a deed of acquittance, made between the trustees and the said executors, and bearing date the 18th of March, 1661, amounted to £906. 16s. 9d.; the sums allowed by the testator for this purpose, having been, for the purchase of the premises, £500., and for the fitting up a place for a Library, £100. And by indenture of lease and release, bearing date 6th and 9th of March, 1661, made between the said executors, George Chetham and Edward Chetham of the one part, and Edmund Hopwood and seventeen others, the then trustees, of the other part, reciting that the testator had in his will expressed his desire that these premises should be bought for the purposes of his will, and that the said executors had purchased the same, and had repaired, fitted-up and disposed of some parts thereof for the Library, and lodging of the keeper of the said Library, and of other parts for an Hospital for the habitation of the said poor boys, with their governor, officers and servants, and that the same (all but such parts thereof as were leased) were then used for the same purpose; the said executors in pursuance of the trust reposed in them, and for settling the said premises for such uses respectively, conveyed the same to the said Edward Hopwood and others, their heirs and assigns, on trust

for the purposes aforesaid, according to the will of the said Humphry Chetham, by the description of the capital messuage or mansion house, with the appurtenances, called the College or College House, situate in Manchester, with the site thereof, and all the houses, buildings, courts, yards and appurtenances thereto belonging, and which were then made use of for the Hospital or habitation of the said poor boys, and the said governor, officers and servants, and for the said Library, and the lodging of the keeper thereof, or otherwise leased out for the benefit thereof.

THE CHARTER OF KING CHARLES II.,

Dated November 10, 1665,

FOR MAKING THE FEOFFEES UNDER MR. CHETHAM'S WILL A BODY-CORPORATE.

CHARLES the second, by the grace of God, King of England, Scotland, France, and Ireland, defender of the faith, &c. &c. to whom these presents shall come greeting.

Whereas our trusty and well beloved Humphery Chetham, late of Clayton, in the County of Lancaster, Esq., deceased, (a person of eminent Loyalty to his Sovereign, and of exemplary piety to God, and Charity towards the poor, and good affection to learning) did by his last will and testament in writing, bearing date the sixteenth day of December, which was in the year of our Lord God 1651, give and bequeath to George Chetham (son of his brother James Chetham) the sum of five thousand three hundred pounds of lawful money of England, to the end he should therewith (so soon as conveniently might be) purchase lands, tenements, rents, and hereditaments, of and for a good and firm estate in fee simple, of the clear yearly value of three hundred and eighteen pounds, and did also give and bequeath unto Edward Chetham (one other of the sons of the said James Chetham) the sum of 1707 pounds of the like money, to the intent, that he should therewith, as soon as conveniently might be, purchase lands, tenements, rents, or hereditaments, of and for a firm estate in fee simple, of the clear yearly value of one hundred and two pounds; and that the said lands so purchased should be conveyed, and assured unto Richard

Holland of Denton, in the said county, Esq., Alexander Barlow of Barlow, in the said county, Esq., Edmund Hopwood of Hopwood, in the said county, Esq., Robert Hyde of Denton, in the said county, Esq., Richard Howarth of Manchester, in the same county, Esq., Richard Radcliff of the same, Esq., Henry Wrigley of Chamber, in Oldham, in the said county of Lancaster, Esq., Nicholas Mosley of Ancotes, in the said county of Lancaster, Esq., John Lightbounne of Salford, in the said county, Esq., Francis Mosley of Collilhurst, gentleman, R. Booth, Esq., and Wm. Radley of Ouldfeld, in Salford, in the same county, gentleman, Richard Johnson Clerk, one of the fellows of the College of Christ, in Manchester aforesaid, John Tildsly of Rumworth, in the same county of Lancaster, clerk, Edward Johnson of Manchester aforesaid, gentleman, James Marler, Thomas Minshall, and James Lightbowne, gentlemen, John Cunliff, Ralph Worsley of Platt, in the same county, gentlemen, Alexander Norres, and John Okey of Bolton in the Moors, in the said county, gentlemen, and Ralph Brooke of the same county, yeoman, their heirs and assigns for ever, and the survivors or survivor of them, and the heirs of the survivors or survivor for ever.

Upon trust and confidence, and to the intent and purpose, that the whole profits and revenues should be for ever employed for the founding of an hospital, and the relief, education, binding apprentice, or other preferment of so many and such poor boys or male children, and in such sort, manner, and form, as in, and by the said will is expressed and declared.

And the said Humphrey Chetham did in, and by his said will, grant several yearly rents amounting to four hundred and twenty pounds, to be issuing out of several of his manors and lands, in the said will specified and expressed, for the support and maintenance of the said charitable uses, until such purchases could be had as aforesaid.

And did thereby also give the further sum of five hundred pounds, to purchase a convenient house for the said poor boys, their governors, officers, and servants; and desire that the great house in Manchester, called the college or college-house might be bought for that purpose, to be conveyed to his feoffees therein mentioned for ever.

And his will and mind was, that the said hospital might be incorporated and made a body politic, for the better ordering and governing thereof.

And further gave to his executors one thousand pounds, to be bestowed in books, for and towards the library, within the town of Manchester, for the use of scholars, and others well affected to resort unto; and gave the further sum of one hundred pounds, to purchase some fit place for the said library; and

devised all the residue of his personal estate, after his debts, legacies, and funeral paid, to be bestowed in books, for the augmentation of the said library, of which will be the said Humphrey Chetham did ordain and make the said George and Edward Chetham executors, as thereby amongst other things may at large appear.

And whereas the said Humphrey Chetham, about the month of December, in the year of our Lord 1653, departed this life, sithence which the said executors have purchased the said great house or college in Manchester called the college-house, and conveyances and assurances are thereof made and executed, for the use of the said hospital and library according to the intent of the said will, and the said George Chetham and Edward Chetham have for, and in satisfaction of the said rest and residue of the said personal estate, granted and conveyed unto the said Edward Hopwood, Robert Hyde, Richard Howarth, Nicholas Mosley, John Lightbourne, Robert Booth, Francis Mosley, William Radley, Richard Johnson, John Tildsly, James Marler, Thomas Minshall, James Lightbowne, John Cunliff, Ralph Worsley, Alexander Norres, John Okey, and Ralph Brooke, surviving feoffees, and their heirs, the capital messuage or mansion house called Hamerton-hall, in the county of York, and other lands, tenements, hereditaments, in Hamerton, Essington, Stevenmore, and elsewhere in the said county of York, of the yearly value of one hundred and twenty-six pounds, or thereabouts, to be employed to, and for the said library; all which houses, land, or premises, purchased and conveyed as aforesaid, are since granted to John Gulliam, and Edmund Johnson, of Manchester, gentlemen, and their heirs, to the intent, they may re-grant the same unto the said governors and their successors, to be respectively disposed and employed, according to the purport and intent of the said will, which our pleasure is shall so remain and be for ever.

And whereas James Chetham, son an heir of the said George Chetham, the said Edward Chetham, Edmund Hopwood, and the rest of the said surviving feoffees have, in pursuance of the desire of the said Humphrey Chetham, humbly besought us to create and make them a corporation and body-politic, and to invest them with powers and privileges requisite for the well-ordering and management of so pious and charitable a work.—Now know ye, that we being desirous, as well upon the said humble petition, as out of our own royal disposition, and ready inclination, to encourage and promote this exemplary charity, and all other works of that nature, of our especial grace, certain knowledge, and meer motion, do by these presents, for us, our heirs and successors, declare and ordain, that the said great house, called the college or the college-house in Manchester aforesaid, shall be, and be called the hospital and library

founded by Humphrey Chetham, Esq., in Manchester, and incorporated by king Charles the second.—And do also create, make, and constitute the said Edmund Hopwood, Robert Hyde, Richard Howarth, Nicholas Mosley, John Lightbourne, Robert Booth, William Radley, Richard Johnson, John Tildsly, James Marler, Tho. Minshall, John Cunliff, Ralph Worsley, Alex. Norres, John Okey, Ralph Brooke, and such other person or persons, as shall be elected and chosen, as is hereinafter expressed, one body politic and corporate, in deed and in name, by the name of “The Governors of the Hospital and Library in Manchester, founded by Humphrey Chetham, Esq.,” and incorporated by king Charles the second; and that they and their successors shall, by the same name, have perpetual succession, and be able and capable in the law to have, receive, purchase, and enjoy manors, lands, tenements, rents, hereditaments, leases, goods and chattles, in what nature and kind soever, in fee and perpetuity, or for term of lives, years, or otherwise, also to give, grant, assign, lease or dispose thereof, or of any part or parts thereof, as to them shall seem meet.—And also that the said governors and their successors shall, and may plead, and be impleaded, defend and be defended, answer and be answered, in whatsoever courts and places, and before whatsoever judges, justices, or other officers and ministers of us, our heirs and successors, in all actions, pleas, complaints, and demands whatsoever, in as ample manner and form to all intents and purposes, as any of our subjects, able and capable in the law, or any other body politic, may or can.—And shall and may also have and use a common seal, for the causes and affairs of them and their successors, of or relating unto the said hospital or library, on which shall be engraven the coat of arms of the said Humphrey Chetham, with this motto—*Quod tuum tene*, and circumscribed, *Sigillum Hospitii Humfridi Chetham Armigeri*.—And our further will and pleasure is, and we do hereby direct, declare, and grant, that the said governors hereby constituted as aforesaid, or the major part of them, shall on, or before the Monday in Easter-week next, elect and chuse six persons, to make the full number of four and twenty, according to the purport of the said will, and true intent of the said Humphrey Chetham in that behalf, which persons so to be elected, shall be, and be reputed governors of the said hospital to all intents and purposes, together with the several persons hereby constituted as aforesaid.

And for the better management of the affairs of the said hospital, and the officers and members thereof, we do hereby, for us, our heirs and successors, declare and grant, that it shall, and may be lawful to, and for the said governors, or the major part of them for the time being, from time to time, as occasion shall require, to make, ordain, and establish laws, statutes, constitutions,

and ordinances for the good government, and support of the said hospital and library, and the members, officers, and other persons of, in or belonging to the same, or any wise relating thereunto; and to impose and inflict fines and punishment for the observance and performance thereof, which we will shall be kept and obeyed by all persons concerned, so as the same laws, ordinances, constitutions, fines, or punishment be not contrary or repugnant, but agreeable, to the laws and statutes of this our realm, and the last will and testament of the said Humphrey Chetham, and the constitutions and directions thereby made, or limited in any matter or thing touching, or concerning the said hospital or library, or either of them, or the governing or management thereof.

And moreover we do by these presents, for us, our heirs, and successors give, and grant unto the governors unto the said hospital, for the time being, or the major part of them, full power and authority to nominate, elect, and appoint all officers, and ministers whatsoever requisite, or necessary to be employed or entrusted in, or touching the said hospital or library, or the revenues or affairs thereof; and to give and administer oaths, for the due and faithful execution of their offices respectively; and that the said governors, or the major part of them for the time being, shall have two general meetings in the year at the said hospital, one on the Monday in Easter-week, and the other on the Monday after the feast of St. Michael the Archangel for ever; and then, and there from time to elect, and chuse one or more honest and discreet person, or persons, according to the directions of the said will, to be governor, or governors of the said hospital and library, in the place, or places of such, who shall be then dead, or shall be removed or displaced for any just or reasonable cause, which we hereby give full power and authority to the major part of the said governors for the time being, to do accordingly; to the intent, that the said number of four and twenty persons may be compleat; of which our will and pleasure is, and we do hereby declare, that the heirs male of the several and respective bodies of the said George Chetham and Edward Chetham, shall for the present, and from time to time, be by virtue of these presents, amongst the rest, successively for ever, governors of the said hospital and library.—And we do hereby declare and grant, that Richard Dutton, now Master of the children in the hospital, shall be, and continue in that office and employment, during his natural life, unless he shall be displaced by the governors, or the major part of them for the time being, for any just or reasonable cause.—And we do also hereby nominate, constitute, and make the said Richard Johnson, now one of the fellows of Christ College in Manchester aforesaid, to be the

keeper of the said library, by himself, or his sufficient deputy, during his natural life ; but this not to be drawn into example in future elections.

And know further, that we, of our further especial grace, certain knowledge, and mere motion do hereby give and grant unto the said governors, and their successors, full power and authority to have, take, receive, and enjoy the houses, lands, tenements, and hereditaments, to be to them re-conveyed as aforesaid ; and also the said several yearly rents in, and by the said will limited, and appointed to be paid as aforesaid, under, and subject to the provisos and conditions in that behalf, in the said will declared and expressed. And also from time to time to purchase, have, hold, and enjoy, to them and their successors, any other manors, lands, tenements, rents, or hereditaments whatsoever ; so as the same, together with the premises already granted and conveyed as aforesaid, do not exceed the yearly value of one thousand marks, the statute of mortmain, or any act, statute, matter, or thing whatsoever, notwithstanding. Provided always, and our express will and pleasure is, that the said governors of the said hospital hereby constituted or named, or hereafter to be elected or chosen as aforesaid ; and also all and every other the officers and members of the said corporation, before he, or they be admitted to exercise their respective offices or places, shall severally and respectively take the oaths of allegiance and supremacy, before some three, or more of the governors of the said hospital for the time being, to whom we do hereby give full power and authority to administer the said oaths accordingly. And lastly, our will and pleasure is, and we do hereby declare and grant, that these our letters patent, or the inrollment thereof, shall be good and effectual in the law, to all intents and purposes, notwithstanding the not reciting or misreciting, or mentioning of the said last will of Humphrey Chetham, or any of the gifts, limitations, or appointments hereby made or limited ; and notwithstanding the not reciting or mentioning, or not true and certain or mentioning of the houses, lands, tenements, or hereditaments already conveyed to and for the use and benefit of the said hospital and library, or either of them ; or of any the conveyances or assurances thereof ; or of any act, statute, matter, or thing whatsoever to the contrary, in any wise notwithstanding, although express mention of the true yearly value, or certainty of the premises, or of any of them, or of any other gifts or grants by us or by any of our progenitors or predecessors made to the said Humphrey Chetham, in these presents is not made ; or any statute, act, ordinance, provision, proclamation, or restriction heretofore had, made, enacted, ordained, or provided, or any other matter,

cause, or thing whatsoever to the contrary thereof, in any wise, notwithstanding.—In witness whereof we have caused by these our letters to be made patent.

Witness ourself at Oxford, the twentieth day of November, in the seventeenth year of our reign.

By writ of Privy Seal.

VYNER.

In 1676 James Chetham, Esq., the son and heir of the said George Chetham, to whom the testator bequeathed £5300., for the purchase of lands for the use of the Hospital of the clear yearly value of £318., purchased an estate at Sutton on the Hill, in the county of Derby, from George Vernon, Esq., of Sudbury, for the sum of £5650. And by indentures of lease and release, bearing date 27th and 28th of September, 1700, between Samuel Chetham, Esq., of the one part, and Thomas Mynshull of the other part, reciting, that the testator had by his will, in pursuance of a power reserved to himself, charged the Turton estate with a rent-charge of £180., and the Clayton estate with a rent-charge of £138., for the maintenance of the hospital by him founded in Manchester, with a condition, that if the said George Chetham, or his heirs, should settle lands or tenements of the clear yearly value of the said rents to the uses aforesaid, the said rent-charges should cease: and also reciting that by letters patent, bearing date 20th of November, 17 Car. 2nd., the trustees of the said Hospital and Library had been incorporated by the name of the Governors of the Hospital and Library founded by Humphry Chetham, Esq., in Manchester, and incorporated by King Charles the Second; the said Samuel Chetham in performance of the will of the said Humphry Chetham, and in discharge of the said two rent-charges of £180. and £138., conveyed the manor or lordship of Sutton on the Hill, with the appurtenances, in the county of Derby, and most part thereof within the parish of Sutton, and the lands in the parish of Barton and elsewhere, in the said county, commonly called Wadlands, parcel of the said manor, and the capital messuage or manor house, with the appurtenances, called Sutton Hall, in the parish of Sutton, and the demesne lands of the said manor thereto belonging, together with a water corn mill and kiln with the appurtenances, and all other the messuages, lands and tenements

belonging to the said manor, purchased by the said James Chetham ; and also another messuage and several parcels of land in the parish of Sutton, called Thurstaston and Osleston lands, also purchased by the said James Chetham, all which premises it is stated were of the clear yearly value of £318. and upwards, to the said Thomas Mynshull and his heirs, to the use of the Governors of the Hospital and Library in Manchester, founded by Humphry Chetham, Esq., and incorporated by King Charles the Second, and their successors, upon trust, that the rents and profits thereof should be employed by them towards the perpetual maintenance and continuance of the said hospital and poor boys, according to the intent of the said testator.

With respect to the legacy of £1700. bequeathed to Edward Chetham, for the purchase of lands for the use of the Hospital of the clear yearly value of £102., it appears that no such purchase was made by the said Edward Chetham or his heirs, and the rent-charge of £102. limited by the testator out of his estate at Ordsall, Pendleton, and other places is still paid.

By indenture, bearing date 3rd of September,³⁵ 1686, Jonathan Chadwick and Richard Holden, in consideration of £1040. granted and released to the Governors of the said Hospital, and their successors, all their right, title, interest, and estate in all the messuages, lands, &c., in the parish of Rochdale, in the county of Lancaster, late the inheritance of Joseph Duerden (except certain messuages and gardens in the said indenture specified).

And by indenture of lease and release, bearing date 22nd and 24th of March, 1691, Thomas Bankes and Peter Heywood, in consideration of £760., conveyed to the Governors of the said Hospital, and their successors, all the messuages, buildings, &c., theretofore parcel of the inheritance of Robert Heywood, deceased, situate in Spotland, within the town or parish of Rochdale, then in the occupation of David Brearely, Evan Marsh, John Milne, and James Bamford, and three closes, called the Town Meadow, Zachary Meadow, and Frank-a-Leigh's Field, containing about six acres, and a close called Tenter Field, containing about $2\frac{1}{2}$ acres, and a malt kiln and a close thereunto belonging, called the Kiln Field, and a parcel of building used as a malt shop, all theretofore part of the inheritance of the said Robert Heywood, and situate in Spotland aforesaid.

³⁵ The residue of the Testator's personal property, amounting to the sum of £1782. 12s. 9d., appears to have been laid out in the purchase of the two following estates, in the years 1686 and 1691 ; though of this fact there are no particulars. The amount of the purchase-money paid for those estates was £1800. It is not stated from what source that money was derived, but the rents have always been carried to the account of the Hospital.



Engraved by J. J. Palmer, Architect

Published by J. J. Palmer

THE UNIVERSITY OF COLUMBIA, NEW YORK, 1850

This Plate is most respectfully inscribed by his most obedient servant,

J. J. Palmer, Architect

The Estates, therefore, belonging to this charity, consist of the following particulars, and form

THE REVENUES OF THE HOSPITAL.

1st.—The Premises called the College, comprising the Hospital and Library, with the yard and offices thereto belonging, and also a small piece of land adjoining, formerly a garden, but now used only for drying clothes, which is held on lease under the Earl of Derby, at the yearly rent of £3. The present lease bears date 31st of March, 1810, and was made by Edward Earl of Derby, who thereby, in consideration of the surrender of a prior lease, made in 1769, and the payment of a fine of 5s., demised to Richard Atherton Farrington, Esq., one of the Governors of the Hospital, on behalf of himself and the other Governors, and his heirs, a piece of ground called the College garden, as meered out by meer-stones, (a plan of which was indorsed on the base) containing 1661 square yards, and the site where a building formerly stood, called the Little Barn, lying between the court and the said garden, then used for a coal-yard, for the lives of the then Earl of Wilton, Thomas Lloyd, and the Hon. Thomas Grosvenor, at the yearly rent of £3.

2nd.—The estate at Sutton on the Hill. In addition to the premises conveyed to the Governors by the heir of George Chetham, Esq., in the year 1700, two closes were afterwards purchased by the Governors, of Samuel Bentley, for the sum of £360. These lands were conveyed to the said Governors by indenture of bargain and sale, enrolled in the High Court of Chancery, and bearing date 4th of June, 1773, between William Batkin of the first part, Samuel Bentley of the second part, William Statham, (a trustee for the said Samuel Bentley) of the third part, the Governors of the Hospital and Library in Manchester, &c., of the fourth part, and Edward Kenyon, of the fifth part, for the consideration above-mentioned, by the description of two closes of land at Sutton-on-the-Hill, called the Farther Ryland Sitch and the Ryland Sitch Meadow, with all manner of tithes yearly arising thereon, in trust for the several purposes mentioned in the will of Humphry Chetham. And with respect to part of the land originally conveyed to the Governors, an exchange has taken place, which was effected by indentures of lease and release, bearing date 25th and 26th November, 1796, between the Reverend Richard Rowland Ward, of the first part, William Jeffrey Lockett, Gent., of the second part, the

Governors of the Hospital and Library, of the third part, and Robert Toxham, Gent., of the fourth part, whereby, in consideration of a croft and parcel of land therein mentioned, the said Richard Rowland Ward conveyed to the said Governors and their successors a close, called The New Close, containing, by estimation, four acres and twenty-one perches.

The Governors also hold the vicarial tithes under a lease bearing date the 1st of October, 1821, whereby the Reverend Richard Rowland Ward, the present vicar of the parish of Sutton, demised all the tithes payable to him as vicar, to the said Governors, to hold the same as long as he should continue incumbent, at the yearly rent of £72. The tithes of corn in the parish of Sutton also belong now to Mr. Ward, as lay impropriator, but these tithes are not included in the lease to the Governors.

The land tax of this estate was purchased by the Governors in 1801 for £1033. 4s. 7d.

Previously to the year 1821, the principal part of this estate was let in different farms on leases for 21 years, at rents amounting in the whole to £1062. 11s. 0d., and several small sums were received yearly for rents from the occupiers of cottages and gardens. In 1821, at which period the leases expired, Mr. John Webb, who lives in the adjoining parish, and is well acquainted with the letting of lands in that neighbourhood, was appointed agent for this estate, and the buildings being in very bad condition, directions were given him to rebuild or repair them as he should think best. The estate was then surveyed and valued, and re-let at advanced rents, the farms being newly arranged for the better convenience of the tenants, and a plan of them drawn out and transmitted to the Governors. Mr. Webb has also proceeded in erecting new buildings on some of the farms, and in doing the necessary repairs. It was arranged that the amount of the expenditure in each year should be limited by the difference between the old and the new rents, and it is calculated that it will be necessary to expend this surplus up to the year 1828, in order to put the whole buildings into proper condition. The farms were let with the vicarial tithes arising thereon respectively to seven different tenants, on agreements (each of which bears date 1st October, 1821,) to hold from year to year, determinable on six months' notice by either party, with proper covenants on the part of the tenants for good husbandry, and for keeping the premises in repair, they being first put into good condition, and for paying all taxes and outgoings, except the vicarial tithes, and a chief rent charged upon the farm in the township of Thurstaston. The

cottages and gardens were at the same time let to yearly tenants. The amount of the respective rents was fixed by Mr. Webb, according to his opinion of the fair annual value of the premises, with reference to the intended improvements, and the arrangements that have been made have been inspected and approved by some of the Governors.

The particulars of the letting of this Estate, and of the present condition of the buildings thereon, will appear from the following rental, with the observations thereto annexed.

Tenants' Names.	Description of Premises.	Rents.			Observations.
		£.	s.	d.	
John Bradshaw...	A farm, called Thurvaston Farm, consisting of a dwelling-house and lands, containing in the whole 88A. 2R. 30P., statute measure.	150	0	0	This Farm is subject to a chief rent of £1. 12s. payable by the Governors. The buildings are old, but in good condition.
Charles Osborne...	A dwelling-house with outbuildings, garden, &c., and lands, containing in the whole, 160A. 1R. 30P., of which a small part, 16A. 1R. 31P., is in the parish of Barton Blomet, and is tithe free.	300	0	0	The dwelling-house is old, and will require to be thoroughly repaired or rebuilt. Additional outbuildings are also required.
Ditto.....	A dwelling-house with outbuildings, and a mill, called Sutton Mill, with the appurtenances and lands, containing, in the whole, 33A. 0R. 33P.	160	0	0	The mill was rebuilt about the year 1805. The house and outbuildings have been lately rebuilt, and a new roof put on the mill, at an expense of between £400. and £500.
Henry Hall.....	Acknowledgment for a road.	0	1	0	
Francis Pakeman..	A dwelling-house with outbuildings, &c., and lands, containing, in the whole, 44A. 2R. 4P.	95	0	0	The house requires a new roof; the outbuildings are in very good condition.

Tenants' Names.	Description of Premises.	Rents.			Observations.
		£.	s.	d.	
Willm. Eaton, sen.	Fieldgate Farm, consisting of a dwelling-house, with outbuildings and lands, containing, in the whole, 193A. 2P. 28.	375	0	0	<p>New outbuildings have been erected since 1821, and the house thoroughly repaired at an expense of about £1000.</p> <p>The Terrace Walk has been added to and now forms part of the vicarage garden, with which it is enclosed by a wall. A correct plan of the premises belonging to the charity, with the boundaries thereof, has been drawn up and signed by the vicar, and is now deposited with the Governors.</p>
Rev. W. Heathcote, the present Curate; late Wm. Legh Clowes, Esq.	Lands, garden, and "the Terrace Walk of the Parsonage House," containing, in the whole, 21A. 3R. 26P.				
Ditto.....	For a road to the Vicarage House.	0	5	0	
Wm. Eaton, jun..	Suttonfield Farm, consisting of a dwelling-house, described in the agreement of 1821 as then newly-erected, with outbuildings, &c., containing in the whole 132A. 3R. 31P.	240	0	0	<p>The house and buildings were erected in part before 1821, and in part subsequently. The expenses incurred since October 1821 have been about £400.</p> <p>The house and outbuildings (except the barn and stable which were built some years ago,) were rebuilt about the year 1821, at an expense of nearly £1000.</p>
Thomas Hall....	Dishfield Farm, consisting of a dwelling-house, described in the agreement of 1821 as then newly-erected, with outbuildings, &c., and lands, containing in the whole 170A. 2R. 30P.	300	0	0	
Ditto.....	Acknowledgment for a road...	0	1	0	
John Draycott...	Cottage and two gardens, containing 14 perches.	1	5	0	<p>Two of these cottages have been rebuilt at an expense of between £20. and £25.</p>
Thomas Eaton....	Cottage, garden, and intake, 16 perches.	1	0	0	
Joseph Fulke....	Cottage, garden, and croft, 1R. 27P.	1	10	0	
Francis Keeling..	House, shop, yard, and garden, 38 perches.	2	0	0	

Tenants' Names.	Description of Premises.	Rents.			Observations.
		£.	s.	d.	
Charles Lomas...	Cottage, smithy, shed, garden, &c., 23 perches.	2	10	0	each, since October, 1821, and others have been slightly repaired; five of them require to be rebuilt.
William Lomas..	Cottage, garden, &c., 15 perches.	2	0	0	
John Maskerry...	Cottage, garden, and intake, 22 perches.	1	0	0	
William Maskerry.	Cottage, garden, orchard, and croft, 1A. 3R. 3P.	2	10	0	
John Newdale...	Cottage and two gardens, 15 perches.	1	5	0	
Charles Pakeman..	Cottage, garden, and intake, 12 perches.	1	0	0	
William Pakeman.	Horse and Groom public house and garden, 24 perches, in good repair.	5	0	0	
Samuel Pegg.....	Cottage, garden, and two orchards, 1R. 26P.	3	0	0	
Total..£		1696	12	0	

There is also a parcel of land containing 7A. 1R. 16P. which could not be let to advantage, and was therefore planted by the Governors about 1821, and at present produces no income.

The following is an account of the disbursements of the Governors in respect of this Estate from the time of the expiration of the old leases in 1821—

1822.—For the admeasurement, plans, and valuation of the estate.....	£.	s.	d.
	124	6	9
The solicitor's bill for journies, and other business, principally relating to the letting of this estate (paid in 1823).....	94	4	0
1821.—Paid Mr. Webb for buildings, &c.....	600	0	0
1822.—Ditto ditto ditto	600	0	0
1823.—Ditto ditto ditto	271	14	8
1824.—Ditto ditto ditto	941	3	3
1825.—Ditto ditto ditto	550	2	8
	3181	11	4
From this sum is to be deducted the produce of some timber, cut upon the estate in 1823, and sold.....	412	6	4
	£2769	5	0

The ordinary annual expenses may be estimated as follow—

	£.	s.	d.
Salary to Mr. Webb, for superintending the estate, which was fixed by the Governors at £70. for the first five years from 1821, and then to be reduced to £50. per annum	70	0	0
Insurance of the mill at Sutton.....	12	7	6
Rent of the vicarial tithes.....	72	0	0
Chief rent on the Thurstaston farm.....	1	12	10
	<hr/> £156 0 4 <hr/>		

3rd.—The Rochdale Estate:—Several parts of this estate have been sold or disposed of by the Governors at different periods.

In 1712.—Certain houses and gardens were sold to James Lawton for the sum of £300.

1742.—A plot of land, with a building erected thereon, intended for a chapel of the Church of England, (now called St. Mary's Chapel,) was sold to Richard Townley and Nathan Stock, for the sum of £40.

1761.—An exchange took place between John Royds and the Governors, who gave him a piece of land containing 2853 square yards, for a parcel of meadow containing 1164 square yards, and £18. 15s. 9d. in money.

1796.—A plot of land, part of which was then held by widow Simpson, on lease for 999 years, and the residue included in a similar lease granted to John Walmsley, was sold to the trustees of the above mentioned chapel for £359. 12s. 6d., being 21 years purchase, on the proportion of the rent then payable in respect of such land.

1796.—Certain lands, called the Great and Little Heys, were sold to James Royds for £1400.

1799 and following years.—Several parcels of land were sold to the same James Royds, at the rate of £300. per acre, of seven yards to the perch, amounting in the whole to £3990.

1816.—Lands held by James Butterworth, on lease for 999 years, under the rent of £11. 8s. 9d., were sold to him at 25 years purchase, amounting to £285. 18s. 9d.

1820.—Lands held by James Royds, on lease for 999 years, at the rent of £19. 5s. 2d., were sold at 25 years purchase, amounting to £481. 9s. 2d.

With regard to these sales, or at least to those that have taken place since 1795, it appears that the Governors have been actuated by a desire of benefitting the charity, and that they have not disposed of any of the property, except where the price offered was deemed considerably beyond the real value.

It will be observed, that, under the will of the founder, his feoffees had no

power of disposing of the property, except on leases for terms not exceeding 11 years; but the Governors, as well as in the above-mentioned sales and exchanges, as in the cases hereafter noticed, appear to have acted upon the authority of the clause in the Charter of Charles 2nd, whereby they were empowered to purchase and enjoy lands, hereditaments, &c., and to give, grant, assign, lease or dispose thereof, or any part thereof, as to them should seem meet.

The following Rental will shew how this Estate, which is situate partly in the township of Hundersfield, and partly in the township of Spotland, is now let; all the leases being for terms of 999 years for the purpose of building. The reserved rents appear to have been the highest which could be obtained at the period when the leases were granted.

Dates.	Lessees.	Quantity of Land. No. of Square Yards.	Rents. £. s. d.
IN HUNDERSFIELD.			
6th October, 1788	John Walmsley, now the Executors of——Holland }	In two plots, 2845, of which 500 square yards were sold in 1796 to the Trus- tees of St. Mary's Chapel, when the rent was reduced from £13. 9s. 5½d. to the present amount. }	10 8 8½
6th October, 1788	George Birks, now Mrs. Chadwick. }	In five plots, 4392¾	34 17 10
9th April, 1792...	James Wrigley	In two plots, 3414	35 8 8
29th Sept., 1795...	James Wild, Robert Wrig- ley, and James Ashworth, now —— Atkinson and —— Livesay }	In two plots, 1197	9 0 0
22nd March, 1799	Edmund Wrigley	830	6 6 0
6th October, 1801	James Wild and Clement Hall, now Richard Har- graves }	961	8 0 0
2nd April, 1803..	James Clough, now the Ex- ecutors of Benj. Taylor. }	2568	13 18 0
1st Nov., 1804...	Ann Birks, now Thomas Wilkinson }	1813½	13 3 0
1st Nov., 1804...	James Clarkson, George Williamson, and Edward Dawson }	2313	17 9 6

Dates.	Lessees.	Quantity of Land. No. of Square Yards.	Rents.		
			£.	s.	d.
1st Nov., 1804..	Thomas Pilling	197 $\frac{1}{4}$	1	12	10
1st Nov., 1804..	James Butterworth, now Thomas Butterworth.... }	395 $\frac{3}{4}$	3	6	8
1st Nov., 1804..	James Wild, now Jas. Wrigley	In two plots, 1700	14	3	3
25th March, 1806	Robert and Joshua Marriott, } now James Wrigley	1560	10	13	0
25th March, 1806	James Grindrod	977	8	2	10
30th May, 1807..	James Clarkson, Edmund Else, George Williamson, and James Procter. }	In four plots, 4431	28	0	0
30th May, 1807..	William Wilson and Robert Shepherd	2604	19	3	4
30th May, 1807..	Edmund Howard and George Atkinson, now Edmund Howard	961	8	0	2
30th May, 1807..	John Pilling	In two plots, 1760	7	2	6
5th October, 1807	John Pilling now George Walmsley		2	11	8
15th April, 1811..	James Clarkson and Edmund Else, now James Wrigley }	In five plots, 6150	25	0	0
Lease not produced	James Wrigley		10	6	7 $\frac{1}{2}$
IN SPOTLAND.					
25th March, 1790	Thos. Marriott, now J. Deering	2170	13	11	3
25th April, 1791..	John Standring, now E. Ogden	930	7	15	0
25th April, 1791..	John Lomax, now J. Deering..	853	7	2	2
25th April, 1791..	John Isherwood	1200	10	0	0
25th April, 1791..	Thos. Lord, now J. Isherwood	1869	15	10	0
25th April, 1791..	James Wild, now J. and C. } Butterworth. }	2400	20	0	0
9th October, 1792	John Taylor, now James } Isherwood. }	961	8	0	2
9th October, 1792	James Standring, now Mary } Standring. }	In two plots, 1348 $\frac{1}{2}$	9	14	9
6th April, 1795..	Robert Bell, now Jas. Hamilton	1656	13	16	0
2nd January, 1797	Joseph Birks, now Samuel } and John Clegg. }	In two plots, 4805	31	10	0

Dates.	Lessees.	Quantity of Land. No. of Square Yards.	Rents.		
			£.	s.	d.
25th June, 1801...	James Holland, now John Holland. }	In two plots, 2002 and 2 feet	8	12	0
25th June, 1801...	Sarah Marriott, now John Marriott. }	1672	10	12	6
25th March, 1804	James Pilling.....	1705	13	5	4
25th March, 1804	James Jackson, now William Crossley. }	1960	12	5	0
24th July, 1809..	William Hamer, now James Isherwood. }	15	0	3	2
Leasenot produced	William Hamer, now James Isherwood. }		3	5	4
			<hr/> £471 16 11 <hr/>		

The rents of this Estate, previously to the granting of the first of the above-mentioned leases, was £111. 10s.

4th.—The rent charge of £102. issuing out of the Estate which formerly belonged to Humphry Chetham at Ordsall, and other places mentioned in the will, which is paid by the Rev. John Clowes, the present proprietor thereof.

5th.—The sum of £8443. 15s. 10d. New Four per Cents.

The accounts of the Charity have been examined from the year 1776, and it appears that at that period there were divers sums placed out at interest in different hands, and in 1796, there was the sum of £2916. 13s. 4d. so placed out.

These monies were afterwards paid in, and further sums were received for the above-mentioned sales of land in Rochdale. In 1802 and subsequent years the Governors purchased Stock in the Navy Five per Cents.—

	£.	s.	d.	
In 1802 they purchased.....	1000	0	0	Stock.
„ 1806 ditto	1000	0	0	ditto
„ 1808 ditto	500	0	0	ditto
„ 1809 ditto	800	0	0	ditto
„ 1810 ditto	1000	0	0	ditto
„ — ditto	3000	0	0	ditto
„ 1820 ditto	300	0	0	ditto
„ 1821 ditto	441	14	2	ditto
<hr/> £8041 14 2 <hr/>				

And in lieu of this Stock there is now vested in the corporate name of the Governors the above-mentioned sum of £8443. 15s. 10d., New Four per Cents., the annual dividends on which amount to £337. 15s.

All the above mentioned rents and dividends of the Stock are carried to the separate account of the Hospital, the gross income of which may be stated as follows—

	£.	s.	d.
Rents of the Sutton Estate	1696	12	0
———— Rochdale Estate.....	471	16	11
Ordsall Rent Charge.....	102	0	0
Dividends on Stock	337	15	0
	£2608	3	11

THE EXPENDITURE OF THE HOSPITAL

Consists of the following particulars, the amount of which, in the three years ending 1st of May, 1823, 1824, and 1825, will appear from the adjoined summary—

1st.—The expenses incurred in respect of the Sutton Estate, of which an account has already been given in a former part of this History.

2nd.—Repairs of the Hospital and Library. Of these expenses two thirds were charged previously to 1818 to the account of the Hospital, and one third to the account of the Library. They are now divided equally, the whole sum being carried in the first instance to the account of the Hospital, and credit taken for the receipt of one moiety thereof as from the Library. The following sums have been expended on this account from the year 1818 to 1825 inclusive, and divided in the manner above mentioned.

	£.	s.	d.		£.	s.	d.
1818.....	201	15	8	1822.....	329	10	1
1819.....	122	1	8	1823.....	63	15	3
1820.....	135	13	3	1824.....	135	8	3
1821.....	245	12	4	1825.....	147	1	3

Making an annual average of about £172. 12s.

In 1822 there was erected at the Hospital a new wash-house and laundry, the cost of which was £411. 4s. 6d., one moiety whereof was charged to the Library account, in the same manner as the ordinary repairs.

3rd.—The reserved rent of £3. paid to the Earl of Derby, for the land which was formerly used as a garden.

4th.—The Solicitor's bill for stamps, journies, and business relating to the trust, the principal part of the sum of £94. 4s., paid in 1823, having been in respect of the letting of the Estate at Sutton, as already mentioned.

5th.—Interest and commission paid to Messrs. Jones, Loyd & Co., for money occasionally advanced by them. These advances appear to be attributable to the extraordinary expenses lately incurred on the Sutton Estate, and the building of the new laundry, &c., at the Hospital.

6th.—The salaries of the different officers connected with the Hospital. Mr. Crossley, the present Master, receives a salary of £52. 10s., to which amount it was advanced in 1821. The Rev. W. B. Guest, the Schoolmaster, receives a salary of £60., to which it was advanced in 1808. Mr. Charles Cooke, the Solicitor, receives annually £24. 18s., one half of which is paid out of the Library account. Previously to 1812 the Solicitor to the Governors acted also as the general steward for the estates belonging to the Charity, in that year it was agreed that the offices should be divided, and the salary of the Solicitor appears to have been then fixed at £24. 18s. At present there is no steward except for the Estate at Sutton. An allowance of £5. is made to the Treasurer, one third of which is paid out of the Library account. The same sum has been paid for a long time. A salary of £20. is paid to a Medical attendant.

7th.—The Servants' wages, consisting of £5. a quarter paid to the women servants in the Hospital, £2. 2s. a quarter paid to a Porter, and £1. 1s. a quarter to a person for cutting the boys' hair.

8th.—The expenses of Clothing the Boys, part of which, viz. the cost of the cloth and hose, appears in the Treasurer's accounts, and the residue in the weekly accounts of the Hospital.

9th.—The expenses of provisions for the boys, of medicine, &c., in cases of sickness, and of the table kept for the Master, Schoolmaster and Librarian, the particulars of which are entered in the Master's accounts.

The disbursements made by the Master of the Hospital as above mentioned have amounted in each of the last 25 years to the following sums.

	£.	s.	d.		£.	s.	d.
1801.....	1367	19	1	1814.....	1553	7	8
1802.....	1125	14	9	1815.....	1535	15	9
1803.....	1087	15	11	1816.....	1471	7	11
1804.....	1189	12	11	1817.....	1653	11	2
1805.....	1283	12	1	1818.....	1608	1	3
1806.....	1283	0	6	1819.....	1554	1	6
1807.....	1311	11	2	1820.....	1385	0	2
1808.....	1295	14	7	1821.....	1347	14	4
1809.....	1410	10	8	1822.....	1142	0	1
1810.....	1394	2	0	1823.....	1166	15	8
1811.....	1418	19	3	1824.....	1231	16	6
1812.....	1477	17	0	1825.....	1417	16	1
1813.....	1657	18	2				

The variations that have taken place in the amount of these expenses will sufficiently appear from the following statement thereof, at different intervals; viz., in 1777 (the number of boys being then 60), £457. 6s. 5d.; in 1787 (the number having been increased to 80), £703. 18s. 3d.; in 1797, £953. 1. 9d.; in 1807, £1311. 11s. 2d.; in 1817, £1653. 11s. 2d.; and in 1825, £1417. 16s. 1d.

10th.—Bibles, books of common prayer, school-books and stationery.

11th.—A Subscription of £4. 4s. per annum to the Manchester Infirmary for the benefit of the boys.

12th.—Apprentice Fees at £4. each, and one half of the expenses of the Indentures.

13th.—The expenses of the dinners provided for the Governors and Officers of the Hospital on the days of meeting. For these the Governors have laid in a stock of wine, for the cost of which, and of the dinners, one moiety is repaid from the Library account, in the same manner as above mentioned with respect to the expenses of repairs. The following sums appear in the Treasurer's accounts since 1800 for wine thus purchased:—

	£.	s.	d.		£.	s.	d.
1804.....	133	14	0	1816.....	37	16	0
1807.....	22	16	6	1820.....	20	8	0
1813.....	140	16	0	1821.....	70	7	6
— Bottling ditto....	9	6	0	1825.....	19	0	0

14th.—Occasional expenses.

The following is a summary of the Accounts for the years ending 1st May, 1823, 1824, and 1825; the particulars of the disbursements made by the Master of the Hospital being taken from his weekly accounts, as the sum total only is entered among the payments made by the Treasurer:

		1823.			1824.			1825.		
		£.	s.	d.	£.	s.	d.	£.	s.	d.
No.1	Expenses incurred in respect of the Sutton Estate, on account of new buildings, repairs, &c. }	271	14	8	941	3	3	550	2	8
	Salary of Mr. J. Webb, as Steward..	70	0	0	70	0	0	70	0	0
	Rent of Vicarial tithes for 2½ years	36	0	0	72	0	0	72	0	0
	Insurance of Mill	12	7	6	12	7	6	12	7	6
	Chief rent for Thurvaston Farm....	1	12	10	1	12	10	1	12	10
	Sundry payments	4	10	2½	24	2	3	2	16	6
2	Repairs of the Hospital and Library	63	15	3	135	8	3	147	1	3
3	Rent paid to the Earl of Derby for three years }	0	0	0	0	0	0	9	0	0
4	Solicitor's Bill	94	4	0	5	11	6	5	3	4
	Ditto, delivering notices of receiv- ing rents at Rochdale }	0	6	0	0	0	0	0	0	0
5	Interest and Commission paid for advances made by Jones, Loyd, } and Co.	38	8	10½	24	8	5	14	9	5
6	Salaries :—									
	The Master of the Hospital.....	52	10	0	52	10	0	52	10	0
	The Schoolmaster	60	0	0	60	0	0	60	0	0
	To the Solicitor (one moiety thereof)	12	9	0	12	9	0	12	9	0
	To the Treasurer (two thirds thereof)	0	0	0	3	6	8	3	6	8
	To the Medical Attendant.....	20	0	0	20	0	0	20	0	0
7	Servants' Wages (included in the Master's Account) }	32	12	0	32	12	0	32	12	0
8	Expenses of clothing the Boys, the particulars whereof are taken from the Master's Accounts, except the first item, which is entered in the Treasurer's Accounts:—									
	Cloth and Hose	185	8	0	153	19	3	176	2	0

		1823.			1824.			1825.		
		£.	s.	d.	£.	s.	d.	£.	s.	d.
	Linen and Tailor's Wages.....	96	16	2	74	16	2	97	7	1
	Hats, Hose and Buttons.....	6	13	0	12	12	7	24	6	9
	Shoes.....	81	16	0	42	6	6	32	18	4
	Cobler.....	16	3	8	54	3	5	45	16	1
No.9	Provisions, the particulars of which are entered in the Master's Ac- counts :—									
	Wheat and Flour.....	206	15	10	230	18	0 $\frac{1}{2}$	311	18	1
	Butcher's Meat.....	149	14	3 $\frac{1}{2}$	191	2	11 $\frac{1}{2}$	177	5	1 $\frac{1}{2}$
	Cheese	28	0	10	74	14	2	97	2	7
	Butter.....	31	9	10 $\frac{1}{2}$	36	17	10	29	15	4
	Milk and Butter	92	4	11 $\frac{1}{2}$	100	10	2 $\frac{1}{2}$	104	16	8 $\frac{1}{2}$
	Groceries	75	12	9	72	1	10	60	7	4
	Salt and Vegetables.....	34	14	4 $\frac{1}{2}$	35	13	0 $\frac{1}{2}$	29	16	3
	Baking and Porter.....	10	13	9	7	19	5 $\frac{1}{2}$	11	6	3
	Malt.....	76	5	0	78	0	0	101	12	0
	Hops.....	11	15	8	0	0	0	43	18	3
	Coals.....	91	16	1	80	13	3	99	15	2
	Soap and Candles.....	30	10	8	27	7	11	23	16	0
	Garden.....	1	7	6	0	13	2	0	0	0
	Invalids.....	14	12	3	0	0	0	11	13	11
	Sundries	48	10	6 $\frac{1}{2}$	50	13	1 $\frac{1}{2}$	50	16	1
10	Books :—									
	Bibles and Prayer Books.....	13	10	1	6	1	4	6	13	2
	School Books and Stationery	18	4	6	43	5	6	14	6	0
11	Subscription to the Infirmary.....	4	4	0	4	4	0	4	4	0
12	Apprentice Fees at £4. each.....	48	0	0	40	0	0	72	0	0
	Half expenses of Indentures.....	3	0	0	2	10	0	4	10	0
13	Dinners for the Governors, &c., (from the Master's Accounts,) } viz., three in each year.	28	10	6	28	0	10	30	16	9
	Wine for ditto.....	0	0	0	0	0	0	19	0	0
14	Occasional Expenses :—									
	Carpet...	16	15	0	0	0	0	0	0	0
	Allowance to Schoolmaster for a } Bed.	0	0	0	0	0	0	10	10	0
	£	2193	15	7 $\frac{1}{2}$	2916	16	3	2758	0	5

In March, 1826, there was a balance of £181. 13s. 4d., due on the Hospital account, to Messrs. Jones, Loyd and Co,

OF THE REVENUES OF THE LIBRARY.

It appears by the executors' accounts before mentioned, that they laid out in providing books for the Library the legacy of £1000. bequeathed for that purpose, and £200. for providing books for the several Churches and Chapels specified in the will, and that they paid for the expenses incurred in buying such books, and in sorting and putting up the same, £99. 8s. 5d., making, in the whole, £1299. 8s. 5d. With respect to the residue of the testator's personal estate, they took credit to themselves for the sum of £2556., as the value of an Estate at Hammerton and other places in the parish of Slaidburn, which they conveyed to the trustees for the use of the Library, and they assigned to the trustees by the deed to which the accounts were annexed, in money and debts, the sum of £1782. 12s. 9d., as the remainder thereof.

The conveyance of the Hammerton Estate was by indentures of lease and release, bearing date 13th and 15th March, 1661, and made between George Chetham and Edward Chetham of the one part, and Edmund Hopwood and others, of the other part, whereby, reciting that Humphry Chetham had by his will bequeathed to the said George and Edward Chetham, as well the sum of £1000. towards a Library in the town of Manchester, as also the sum of £100., to be bestowed in providing a fit place for the said Library, and that he had also given the residue of his personal estate, after payment of his debts, legacies, &c., to be bestowed by his executors in books; and further reciting that the said George and Edward Chetham had, with the sum of £100., provided and fitted in the College-house a place for a Library, and had conveyed the same for the use aforesaid, and had also laid out the sum of £1000. in the buying of books for the said Library, and that they had then remaining in their hands, over and above the said sums of £1000. and £100., already laid out, the sum of £2600. or thereabouts, belonging to the said Library, and to be employed for the buying of books as aforesaid; and further reciting, that upon serious debate and consideration, it was conceived that it would be more beneficial for the

advancement of the said Library that the sum of £2600. should be laid out in the purchase of some lands or tenements, to the intent that the yearly rents and profits of the same should be employed, as well for the buying of books yearly or otherwise, as also for the maintenance of a keeper for the said Library, and for the repairing, fitting and ordering of the said Library, and the buildings thereto belonging, than to lay out the residue of the said personal estate at once; the said George and Edward Chetham, in consideration of the sum of £2556., part of the said £2600., conveyed to the said Edmund Hopwood and others, and their heirs, a capital messuage called Hammerton Hall, in the parish of Slaidburn, in the county of York, and all houses, demesne lands, closes, and other lands, tenements and hereditaments thereto belonging, and the water corn mill in the said parish, called Hamerton Mill, with the tolls, easements, &c., thereto belonging, and also a messuage or tenement, called Hole House, in the township of Essington in the said parish, and the lands, &c., thereto belonging, and all other the messuages, lands, tenements and hereditaments, in Hammer-ton, Essington and Stevenmore, in the parish of Slaidburn, or elsewhere, in the county of York, wherein the said George and Edward Chetham had any estate of inheritance, upon trust for the purposes before mentioned.

The income arising from the following sources is placed to the account of the Library.

1st.—The Estate at Hammerton, which is divided into three farms, now let to the following yearly tenants: Thomas Brennand, at £180.; William Strickland, at £170.; and William Blackmore at £150. per annum. It is stated that at the present time these are fair rents. In 1811, the same farms were let on lease at the rents of £240., £240., and £235. Abatements were subsequently made to the several tenants, and in 1823 the leases were given up, and the rents were fixed at the present amount.

2nd.—The sum of £1050. New Four per Cents. This Stock stands in the corporate name of the Governors, in lieu of £1000., late Navy Five per Cents, purchased in 1820, out of a balance which had accrued from the surplus of the income beyond the expenditure.

The dividends on the Stock, amounting to £42. per annum, make up, with the rent of the Hammerton Estate, the yearly sum of £542.

The rents as received, are paid into the bank of Messrs. Jones, Loyd, & Co., who also receive the dividends on the stock, a separate account being kept for the Hospital and another for the Library. If any money is paid by the bankers in advance, interest is charged, and on the other hand credit is given for interest

when the balance is in favor of the Charity. One of the Governors is annually appointed Treasurer for the ensuing year, and he draws upon the bank for whatever sums are required for the expenses of the establishment, and his accounts are entered for him by the Solicitor to the Governors in a book, under the respective heads of the Hospital and Library, and are audited by the Governors at an annual meeting held in July. In the course of the year there are three meetings, all of which are attended by the greater number of the Governors; one on the Monday in Easter-week, at which the boys are elected to the Hospital, as before mentioned; another on the Monday after Michaelmas, for transacting the general business of the Charity; and the third sometime in July, of which previous notice is given, for the purpose of auditing the accounts. The Governors, with the Officers of the Establishment dine together in the Hospital on the days of meeting, and the expenses are charged equally to the account of the Hospital and Library.

The Library, for which part of the Hospital is fitted up, contains a large collection of books, and additions are regularly made out of the funds appropriated to this purpose; it is one of the best and most extensive Public Libraries in the kingdom, with the exception of those in the Metropolis and the Universities, containing upwards of 25,000 volumes. It is under the management of the Rev. Peter Hordern, M. A., the Librarian, who receives £50. per annum; no advance having been made in the amount of this salary since 1792. The Librarian has also the advantage of apartments in the Hospital, which are furnished from the funds of the Library, and he is allowed firing and washing, and his board at the same table with the governor and schoolmaster. The Library is open every day (except Sundays), under certain regulations, to all persons, but no books are permitted to be removed.

The expenditure on account of the Library consists of the particulars mentioned in the following summary of the accouts for the years ending 1st May, 1823, 1824, and 1825:—

	1823.			1824.			1825.		
	£.	s.	d.	£.	s.	d.	£.	s.	d.
Librarian's Salary	50	0	0	50	0	0	50	0	0
One-half of the Solicitor's Salary.....	12	9	0	12	9	0	12	9	0
One-third of the Treasurer's allowance....	0	0	0	1	13	4	1	13	4
Bookbinder's wages, at £1. 8s. per week, } except for 14 weeks in the years } 1822-3, during which time he received } £1. 4s. per week.	70	0	0	72	16	0	72	16	0

	1823.			1824.			1825.		
	£.	s.	d.	£.	s.	d.	£.	s.	d.
Expenses of repairs, &c., on the Estate } at Hammerton	87	14	5	155	2	6	0	0	0
Furniture for Librarian's Room and Library	43	13	5	0	0	0	31	12	0
Books, Newspapers, &c.	67	16	4	66	3	6	76	2	0
PAYMENTS TO THE HOSPITAL.									
Librarian's board, &c., £70. per annum, } and one half of the expenses of the re- pairs of the Hospital and Library, and of the dinners & wine for the Governors }	116	2	10	151	13	0	168	9	0
	447	16	0	509	17	4	413	1	4

In March, 1826, there was a balance of £542. 2s. 8d., in the bank of Messrs. Jones, Loyd, and Co., in favor of this branch of the Charity.

REFERENCES

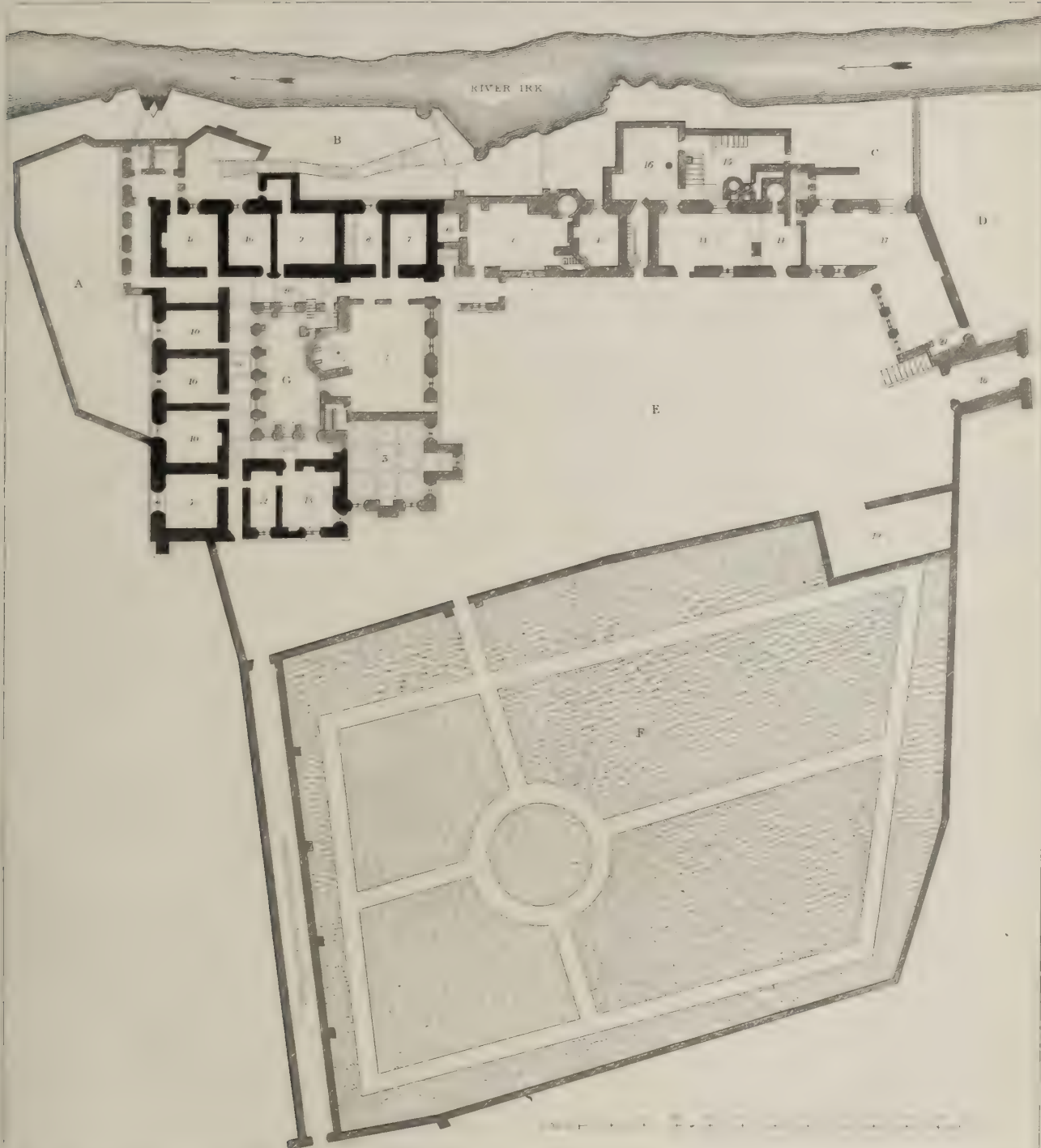
TO THE

GROUND PLAN OF CHETHAM'S HOSPITAL.

PLATE 4.

- | | |
|--|--|
| 1 Hall or Refectory. | 16 Pump Yard. |
| 2 Kitchen. | 17 School Room. |
| 3 Schoolmaster's or the Audit Room. | 18 Entrance Gateway from Long Mill-
gate. |
| 4 Governor's Private Room. | 19 Coal Yard. |
| 5 Store Room. | 20 Cloisters. |
| 6 Pantry. | 21 The Place where Alms were for-
merly delivered out to the indi-
gent inhabitants. |
| 7 Porter's Room. | A Little Garden. |
| 8 Buttery. | B Little Scurvy Garden. |
| 9 Female Servants' Bed Room. | C Swine Court. |
| 10 Formerly Bed Rooms for the Boys;
but now used as Lumber Rooms. | D Court Yard belonging to the Free
Grammar School. |
| 11 Old Washhouse. | E The Boys' Play Ground. |
| 12 A Room formerly occupied by the
Porter. | F The Hospital Garden. |
| 13 Private Bed Room. | G Cloister Court; formerly denomi-
nated the Fox Court. |
| 14 Bakehouse and Brewhouse. | |
| 15 The new Washhouse, and over it
the Laundry. | |

The dark tint on the plan shews the original structure ; and the light tint the additions which were afterwards added to it.



Surveyed by J. H. Storer, Esq. in March 1813

Engraved by Jno Eothergill

CHEETHAM'S COLLEGE MANCHESTER

Ground Plan and grounds of the College

A P P E N D I X.

APPENDIX, No. 1, CONTAINING LETTERS AND PAPERS RELATIVE TO THE FIRST LEVY OF SHIP MONEY IN THE YEAR 1634.

Letter from Ralph Standish, Esq., to Mr. Chetham.

Right worll.

My love & best respects ever premised. Wisheinge all health and good successe to attend you; S^r I lately receaved his Ma^{ties} Comission concerninge a contribucion to be made for the provydinge of a Shipp of Warr with other necessaryes and provision for the same, together with a letter from the Lords of his Maties most ho^{ble} privye Councell, both which I have herewith sent you, havinge nowe noe ffurther power to proceede in them, In that I have receaved his Maties writt of dischardge for my late Shrevalty, I had prepared letters to the Shreaves of other Countyes & Mayors of Corporations which are to joyne in this waightie Service. But knoweinge that you have entred into the execucion of your office and place, And haveinge receaved my discharge I could proceede noe ffurther, but doe leave the same unto your good Indeavors. And doe advertyse and Intreate you wilbee pleased to make yt the ffirst occasion that you ffall on, yt beinge a service of so greate waight and Importance requiringe a speedye execucion, wherein I should advyse you presently to write and send to the Sheriffe of Cheshire, to the Mayor of the City of Chester, & to the Sheriffe of Cumberland, & the Mayor of Leverpoole, Lancaster & Carlisll, and the rest with whom you are to joyne, to the end that you maye give them a meetinge, & so joyne with them in theire proceedings, for this greate and waightie service, wherein I make no doute but your good Indeavors will appeare in your good Alacrity & forwardnes—And even so leavinge you to gods holly protection I remayne your assured ever lovinge

ffrend

Standishe 12 November 1634.

RAUFE STANDISHE.

Receipt of the King's Writ for providing a Ship of War of 400 Tons burden.

Decimo tertio die Decembris Anno Regni } 1634.
Regis Dni Caroli nunc Angliæ, &c. decemo. }

Received the day & yeare abovesaid by mee Humfray Cheetam Esquire highe Sheriffe of the County pallatyne of Lancaster from Rafhe Standishe Esq^r late Shereiffe of the same County, his Matt^s writt or Comission purportinge a Contribution to bee made for the provideinge of a Shipp of warre with other necessities & provision for the same directed (vic. Com. Lancaster, &c.) and dated att Westm^r the twentieth of October last, Together with a letter under thirteene of the Lords & others of his M^{ties} most honorable privie Councell. Witness my hand the day & yeare abovesaid.

Received the xxth day of December 1634.—Anoq. Dni Caroli Reg. decimo, &c. a letter from the Lords of the Councell Table, dated ye nynth of December 1634.

After our hartie comendations—Whereas by his Maties writt under his greate seale to you directed together with Letters from this Board, You are straightly required and enjoyned to use all care & dilligence in the execucion of the said Writt according to the tenour thereof, Wherein amongst other particulars therein contayned you were authorised and comanded that in case you and the Magistrates of the severall Citytes Townes & places of Cardife, Carmarthen, St. David's, Newport, Cardigan, Denbigh, Carnarvon, Bewmorris, Liverpoole, Lancaster & Carlisle should not by the time limited in his Maties Writts to them directed on that behalf, asseesse and leavie upon the said Citytes Townes and places intended by the said Writts, such somes of money as shalbee sufficient for the poiding and setting out of a Shipp of 400 Tunns furnished in all points as by the said Writt was directed, that then you the High Sheriff of the County of Lancaster should asseesse and leavie the same. Inasmuch as we have not hitherto received any account from the Magistrates of the said severall Citytes Townes and places of the execucion of the said Writt, And for that we conceive the tyme therein limited and provided unto them for the doing thereof is already expired. His Majesty doth therefore straightly comaund and require you that in case the tyme allotted to the Magistrates of the said severall places be already or otherwise so soone as the same shall be expired, and the service by them not performed, That then you the High Sheriffe proceed in the said work according to the authority given you by the said Writt with all convenient expedicion. And that you give an account to this Board of your doing and proceedings therein, within twentie days after the receipt hereof. Lastly wheresoever it shall bee found that the Magistrates of any City Towne or place have neglected to execute the said service within the tyme limited, Whereby they have deprived themselves of the benefitt offred them of setting their owne rates, wee doe likewise hereby in his Maties name straightly charge & enjoyn them to give all obedience and to submitt to such Rates as shalbee assessed by you the said Sheriffes upon every of the said Citytes Townes and places, Requiring and comanding that all such some and somes by you assessed shall be with equality and indifferencie by the Magistrates of the said Citytes Townes and places respectively laid and levied by the pole upon the particular Inhabitants of the same, And soe wee bid you hartily farewell. ffrom Whytehall the 9th of December 1634,

Yr loving freinds,

W. CANT:

THO: COVENTRYE C. S.

LINDESEY

ARUNDELL & SURREY

STERLINE

DORSET

J. COKE

FRAN: WINDEBANKE

E. NEWBURGH

J. EDMONDES

To our verie loving freind the High Sheriffe
of the Countie of Lancaster.

Translation of the Writ.

Charles by the grace of God, of England Scotland france and Ireland kinge Defender of the faithe &c. (Amongst others as well Borroughes & Sheriffes in this Writt mencioned itt is directed thus) To the Sheriffe of our County of Lancaster greetinge, Because it is given to us to understand that certaine spoylers Pirates and sea Robbers as well mahumetan Enemies to the name of Christ as alsoe others bee gathered together shippes goods and ordinarie Comodyties not only of our subjects but alsoe of the subjects of our friends in the Sea, which in times past by our English nacion was accustomed to be defended, wrongfuleie takinge & carryinge away att their pleasure, and to carry the same away, and

men into miserable captivitie to take. And whereas we have perceived a navie thereupon preparinge, and merchants further to trouble, and our kingdome further to grieve, unlesse some speedie remedie bee therein taken, and that more stronglie they bee mett. And alsoe the dangers beinge considered, which on everie side in theis warlike times may hange on our heads, Soe that to our and our Subjects the defence of the Sea and kingdome is convenient, with all haste and expedicion we are able, wee beinge willinge with the helpe of God to provide for the defence of our kingdome and the tuicion of the Sea for the Securitie of our Subjects and Safe conduccion of Shippes and merchandize cominge to our kingdome of England & from the said kingdome unto forraigne parts passinge, chieflie because wee and our progenitors Kings of England have been alwaies hitherto Lords of the Sea aforesaid. And itt would much offend us if that kinglie House should in theis our times perish or become in any thinge diminished. And although all this kinde of defense which concerneth all ought to bee supported as by the lawe & custome of our kingdome of England hath beene accustomed to bee done, Wee notwithstandinge consideringe that you placed in the marine partes to whom as well greate dangers are imminent, and you doe acquire or gett by the same the greater profits, for the defence of the Sea and the conservation of our kinglie honour in that behalfe to putt your hands and assistance of your allegiencie due to oppose, endeavourers against the Same, your beinge principallie bound to bee assistants, To you the aforesaid Maiors Aldermen Baylives Citizens Burgesses honest men and all others whatsoever in the Citties Banores villages and places aforesaid, and in the members thereof, and in the County of the Banore of Carmarthen aforesaid in the fidelitie & allegiance which to us you owe, and as you love us and our honnour. And alsoe uppon paine of forfeiture of all such things which to us you may profite firmly enjoyne and comand you one shippe of warre of the burden of ffoure hundred tunes with men, as well skilful maisters as mariners most valient and experte to the number of two hundred menn at the least. And alsoe with gunnes as well greater as less, with gunpowder and speares and dartes and other necessary armourie sufficient for warre and with double eshipment and alsoe with victualls unto the first day of March next comine competent for soe many men, and from thence for twenty six weeks att the charges as well in victualls as Salaries for men and other necessities to the warre by that time uppon defense of the Sea in our service in the companie of the keeper of the Sea to whom we shall committ the custodie of the Sea before the aforesaid first day of March as wee in our behalfe shall appointe the same, to stay with him prepared, And to the porte of Portsmouth by the said first day of March you cause the same to be brought, Soe that they bee there the same first day att the furthest to goe forth from thence with our Shippes and the Shippes of other our faithfull Subjects for the tuition of the Sea, and the defense of you and for the repulse & weakeninge of such whoe have turned from the trade of merchandize and endeavoured to trouble our merchants and diverted themselves from thence and to their own advantage declined, of intent our faithfull Subjects in our dominion uppon the Sea to grieve and molest, Wee have alsoe assigned you the aforesaid Maiors Aldermen and Baylives of Cittys Burrowes and villages, And the Sherreffes of our Countyes of Pembroke, Glamorgan, Carmarthen Monmouth Cardigan, Denbigh Carnarvon Anglesea flint Chester Lancaster and Cumberland, or any thirteene or more of you within thirtie dayes after the receipt of this writt to asseesse severallie howe much of the Charges aforesaid uppon everie of the aforesaid Cittys Burrowes and villages with the members thereof and uppon the aforesaid Burrowe of Carmarthen County and member thereof and uppon everie one of the aforesaid villages and maratime places with the members thereof ought to bee impored and assessed. And if an assessment of this kind within the aforesaid thirtie dayes by you thirteene or more of you shall not happen to bee made, Then we have assigned you the aforesaid Sheriffes of our Countyes of Pembroke, Glamorgan, Carmarthen, Monmouth, Cardigan, Denbigh, Carnarvon, Anglesey, flint Chester, Lancaster and Cumberland or any seaven or more of them theis assessments uppon the aforesaid Cittys, Burrowes and villages with countyes and members thereof soe

that you cause the Same to bee made soe as to you shall bee thought reasonable to bee done, And wee will that your wholle doeing heerein you the aforesaid Sheriffes doe certainlie informe the aforesaid Maiors Aldermen and Bayliffes, we have also assigned you the aforesaid Baylives of the Towne of Cardiffe to asseesse all men in the same towne and members thereof and the Tenants of the Same, and the tenements within the same, (A Shipp or parte of the Shipp aforesaid not having or in the same not servinge) to contribute to the expenses about the necessarie provision of the premises and upon the Towne aforesaid with the members thereof, so as is aforesaid to be assessed and impored, That is to saie upon everie one of them according to his state and qualitie and the porcions upon them assessed per distresse or any other due means to be levied and collected in that behalfe to nominate & constitute; And all those whom you shall find rebellious and contrarious in the premises to prison to comitt, in the same to stay untill for their deliverie wee have further appointed, (The like authoritie is given to all the other Cittys and Townes in severall in this Writte, and to the Sheriffes severally) and to the Sheriffe of Lancaster in this manner as to other Sheriffes.) And further we have assigned this the aforesaid Sheriffe of Lancaster to assess all men in the aforesaid other Towns and maritime places and in the members thereof lying in the Countye betweene Milford Haven and our said City of Carlisle and the tenants of the Lands in the Same not servinge, to contribute to the expences aboute the necessarie provision of the premisses and upon the aforesaid villages with the members soe as aforesaid to bee assessed and impored, That is to meete everie one of them accordinge to their state and qualitie, and the Somes and porcions upon them assessed by distresses or other due meanes to levie, and collectors in that behalfe to nominate & appointe, And all those whom you shall find rebellious and contrarious in the premisses to prison you comitt, in the Same to stay untill for their deliverie wee shall take further order, And further wee comand you that you diligentlie intend aboute the premises and the same doe & execute with effect upon perill that may ensue, Alsoe wee will that by collour of this our comand you cause not to bee levied more of the said men then to the necessarie expenses of the premisses shalbee sufficient, or that any shall levie money of the contribucion or the costes to be made, the same or any parte detain to himself or presume to appropriate the same by any colour thereof to other uses, willinge that if any more then what will sufficiently suffice, happen to be collected amongst the payers of their rateable porcions, the same may bee repaid, Witnes ourselfe at Westminster the xxth daye of October in the yeare of our reigne the tenth.

WILLYS.

To the Sheriffe of our County of Lancaster.

Mr. Chetham's Observations and Instructions upon the Writ.

The first thinge considerable in the writt is to consider howe much moneys will purchase such a shipp of such a burden, with all implements & abiliments for warr, 200 men, with provision & pay necessarie for 6 monthes.

For this there must be repaire unto Some Shipmaister or mariner for their direction therein—

The Sec: thinge is to aporcion or rather proportion the same moneys equally & indifferently amongst the maritime townes & places chargable with the same for this methinks the Mayors of everie towne should eyther by some ancient rule or tradicion give some derection what & howe much everie of the Said maritime places ought to pay—

And what parte thereof the townes within the County of Lanc: ought to pay, for if you shall tax & asseesse men accordinge to their Estate then Liverpool beinge poore, & now goes as it were a beginge, must pay very litle, leters patents are now forth for the Same Towne And if you shall tax men accordinge to their tradinge & profit by Shippinge, then Lanc:, as I verely think, hath litle to doe that waie.

Now thereis one question to be demanded whether those whoe have profit by wrecke one the sea, as Co: Mullinex cum multis alliis, but whether they have it as their owne Inheritance, or by prescription, or by patent from the kinge non constat—(Houghton, Clifton, Hallsall.)

Thereis a place called Wyre where shipping comes in.

The 3 thinge is to agree that such moneys as are requissite shall be collected with all expedicion.

And to agree of a shorte tyme to have it in readines.

As alsoe to consider whether a Shipp will be made redie & in what tyme.

That soe if it were possible you might make returne and certiffye the counsell of both.

And methinks it were requissite that you should have the names of the Collectors, beffore you come awaie, or certiffye.

And alsoe I thinke that the townes in Wales cannot but be of greater Estate & tradinge till eyther Chester or Lanc:

It will be thought requissite that a speciall messenger of note should be sent up to London to certiffye the Counsell of our dowinge, & to crave further direction from the board if wee shall see cause.

Methinks 3600 may doe it, which will be to evrie towne ^{10.}300, one towne excepted.

Copy of a Letter addressed by Mr. Chetham to the Sheriffs of Counties in the North of England, acquainting them with his having received His Majesty's Writ, and suggesting that a General Meeting should be held at Warrington on the last day of December, 1634.

Right worth

Whereas I have received the viijth day of this instant December his Maty's writte, together with a letter from the Lords of his Highnes Councell &c. concerning the contribucion unto the charges of a Shippe of warre with other necessarys belonging to the same, to bee prepared out of the Countyes of Lancaster, Chester & other places betwixt Milford Haven and the Citie of Carlisle, for his Maty's service, and by the Same writte (of which I presume you have before this received the like) may appeare—By which writte the Cittie of Chester and divers other port or haven Townes and Citties &c. are also charged to the like contribucions, and thereby appointed to meete att a convenient place betwixt Milford Haven & the said Cittie of Carlisle to advise and consider what is requisit to bee donne for the speedy and due execucion thereof. In performance of my duetye to his Matie and furtherance of soe waightie a busines I have taken into consideration the time & place for meetinge to that purpose, and doe conceive that att the Towne of Warrington, uppon the last day of this instant December were convenient, and in an equall distance for all parties, which I thought fitt to acquaint you withall havinge intimated as much to the Sheriffe of the County palatine of Chester. And desire to knowe by this bearer whether you agree of this time & place; that I may bee in redines to observe itt, and give notice to others in theis parts whome itt may concerne; and I have alsoe written to the same effect to the Maior of the Cittie of Chester. And if any other tyme or place bee alreadye agreed uppon, or thought more convenient, I willingly condissend thereunto, whereof I desire you would bee pleased to certifie mee in wrytinge by this bearer, whom I have sent purposely about, that there may bee no neglect on my parte. And if soe it bee I desyre you would bee further pleased to advertize mee by your letter whether you conceyve the Shereyse of Cumberland and Mayor of Carlisle bee already acquainted with the time & place soe appoynted, whereby I may ye better know whether I acede to give them anye further notice thereof Soe comendinge you to the Almightye's protection I take leave & reste your very lovinge frend

HUMFREY CHETAM Vic. Lanc.

December 15th 1634.

Letter from the Mayor of Carlisle and Sheriff of Cumberland in reply to Mr. Chetham's letter.

Whereas upon the sixe and twentieth day of this instant November I received his Mats writt to me directed concerning a contribucion to be made for the provideinge of a Shipp of Warre, with other necessities, belonging to the Same, In which Said writt the towne of Lancaster and other Citties and Burroughs (to the number of thirteene) are likewise named & charged with the like contribucion; And whereas I conceive by the Said Wrutt, That the like is directed to the Maiors Bailiffes and Communalitie of Lancaster in the County of Lancaster & to the Sheriffe thereof, which I suppose you have already received, you being nearer then Carlisle, I have therefore thought it onie requisite for the better furtherance of that Service, & for the readier discharge of my dutie in that behalfe to signifie unto you the receipt of the Said Wrutt, together with a letter from his Mats most honorable Privie Counsell requiring me & the rest therein mentioned to appoint an indifferent place betweene Mylford Haven and Carlile, where a meeting may be had for to advise & consider what is to be done by me for the speedie execucion of the Said Wrutt, The place of meteing I have alsoe taken into my Consideration and I am of opinion that the Cittie of Chester is a verie indifferent place & most convenient for all parties to meete together for the performance of this important affaire; And because the time limited for the discharge thereof is verie shorte, (as by the tenor of the Said Wrutt you may perceave) I doe therefore pray and desire you to advise me by your letter of the tyme and place of the Said Convencon, And (God willing) I shall addresse my selfe, with all readines & willingnes, to attend soe greate & waightie a business, And I alsoe request you, if any thing be already done by you therein, That you wilbee pleased to certifie the particulars thereof by this bearer, whome I send unto you for the Same purpose, and soe comending you to Gods protection, I rest

Yr loving ffreind

Carlisle this 27
November 1634.

RICHARD BARWIS Vic: Cumbr:
AMBROSE NICHOLSON, Maior.

Letter to the Sheriff of Cheshire from the Lords of the Council, ordering the execution of the Writ, &c.—in reply to his of the 20th of December.

After our hartly commendations. Your letters of the 20th of December last were this day presented & read at the Board, His Maty then sittinge in Councell. And upon consideration had thereof His Maty was pleased to declare that you should jointly with the rest proceed in the execucion of his Writ formerly sent unto you, together with other letters from this Board with all possible diligence, So that His Maty's service may not suffer any prejudice or delay by any farther doubts or questions. And whereas you intimate that you are menaced by some to be questioned if you extend your Commission farther then to a few small villages which border on the Coast. We are by his Matys expresse comandts to let you know that in case you perform that which you shall find most fit for the advancement of this service without partiality or protraction accordinge to your duty & his Matys writ you shalbee supported & maintained therein by his Maty's authority and the power of this Board. And of your proceedings herein we shall expect a speedy & a particular accompt. So we bid you hartly farewell, from the Court at Whitehall the 4th of January 1634.

Yr loving friends

THO. COVENTRYE C. S.
WIMBALDON

WILMOT
H. CANT

J. COKE
FRA. WINDEBANK

MANCHESTER
FRA. COTTINGTON.

Copy of a Letter from Sir Thomas Aston, Sheriff of Cheshire, alluded to in the foregoing.

Right Hon^{ble}

Your Honor's letters of the 9th of this instant dec: came to my hands ye 21st of the same month, whereby it appeares your honors did expect an Accompt of a former letter, which together wth his Maty's writt directing the buildinge of a Shipp of 400 Tuns, I did receyve the 25th of November last, About which time alsoe (as I have credibly heard) ye Mayor of Chester did receyve the like writt & letter—whereupon on conference and advice together wee did dispatch divers messengers to ye others Sheriffs & Magistrats in the said Writt mentioned expressing our forwardnes & perswadinge them to a speedy meeting, But in respect some other in the Comission had not their writt (as they certify) till ye middle of this present dec: & principally in respect divers of ye Sheriffs & other Magistrates joyned in Comission with us lyve 130 myles both to the north & South distant from us, whereby wee were disabled to proceed with that expedition your honors expected & wee much desyred.

The convenyent tyme of meetinge whereat all parties might bee present was thought to bee the 8th of January next at ye City of Chester. But seeinge the time of 30 days will be past before ye appointed 8th of January which I hope y^r Lordships will conceyve to bee elapsed by necessity not neglect in us, I humbly crave your Lordshipps's directions whether we shall then joyne in the condissions according to the writt or that y^r Lordships expecte wee shall accordinge to your last letter goe on without them. Alsoe I crave further leave to certify y^r Lordpps that havinge conferred with divers of my County concerninge maratime Townes the better to inable Myself for ye discharge of my duty in this business, I fynd they conceyve themselves exempt from the power of my Comission, and mee questionable if I extend it further then to a few small villages which border on the Coast. Therefore that I may ye better answer y^r Lopps expectation for my direction herein I humbly pray y^r Lopps would bee pleased to declare how farr into the body of the body of the County, or how many miles distant from ye Sea shall bee taken for maritime Townes within the intention of the said writt. The Inhabitants of those villages & Townes next adjoyning to the Sea being for the most part people of an extreme poor condicion. And according to your Lopp's directions herein, (and which I humbly pray may before ye appointed meetinge) wee shall in all readines adresse ourselves to the discharge of his Mats Service. And soe craveinge pardon for my bouldnes herein I in all humblenes take my leave & rest

Yr Lopp's in all observ^{ce}

THO: ASTON

Vic: Chester.

A Letter from the Lords of the Privy Council to the Mayor and Aldermen of Chester, allowing further time for the General Meeting.

After our harty comendacions. By your letters of the 27 of December, which were read this day in his Mat^s presence at board, you represent your ready willingnes to performe his Mats Comands sent in his writt & in our former letters, but in regard of the distance of the Citties and Townes which were to joyne with you, you could not soe soon assemble yourselves together for the expeditinge of that important service, & therefore had appointed the 8th of this instant January for a generall meetinge in that Cittie, which wee were contented to allowe, with this instant intymation, that for the redeemeinge of the tyme already elapsed you proceed withall alacrity and diligence to the rateing & leavieinge of the moneys necessarye for the preparinge & Setting out of the shipp required at your hands. And if you shall feale to have it in readines against the tyme limitted, you are to assure yourselves His Maty & this board will call you to a strict & particular accompt for any neglect herein. It beinge for the

publique service of His Maty & the state, wherein everie one hath a comon intereste. And soe expectinge from tyme to tyme a perticular proceedinge in this Service, wee bidd you hartily farewell. ffrom the Court att Whitehall the 4th January 1634.

THO COVENTRYE C. S.
WIMBLEDON
WILMOT
H. CANT

Yr lovinge ffrends

MANCHESTER
FR: COTTINGTON
J. COKE
FRA. WINDEBANKE

To our Loving ffrends
the Maior & Aldⁿ
of the City of Chester.

Letter from the Mayor and Aldermen of Chester to the Lords of the Council, declaring their inability to provide the Ship, and offering Money in lieu of it.

Right Ho^{ble} and our very good Lords. Since the receipt of his Mats writt & y^r Lopps letters for the provision of a shipp of warre of 400 Tunnes, as in & by the Said writt is directed, and upon a place of meetinge appointed by us accordinge to y^r honor's directions in that behalfe, We did upon the 8th daye of this instant January meete at the City of Chester, where after severall daies spent in conference for the informeinge of our selves of the Estates of the Citties, Townes, places & Counties in the Said Writt mencioned, and advissinge of the fittest course to be had for us to hould, and finding it impossible for us to provide such a Shipp, Upon sight of severall letters of the 23^d of December last under the Seale of his Mats Counsell of the Marches of Wales directed to the Sheriffes of the Severall Counties in Wales in the Said writt mencioned recitinge a memoriall from his Maty to the Lord President of the said Counsell, and upon informacion if a rate made by the Court of Admiralty whereby the charge of the said Shipp was apporcioned to the Sume of 2204, we did hereupon with one unanimous consent make assessments upon the Citties, Burroughes, places & Counties in the Said Writt mencioned, how much every of them should severally & respectively pay for the raysinge of the said Sume of 2204, wherein we made it our speciall care to take that course we found most fit for the advancement & expedition of that Service, & to our best understandinge did the Same with such indifferency, & in such sorte as we could not otherwise have effected the worke, for the speedy layeing & levyinge whereof by the poll we will use our utmost cares & endeavors according to the writt in that behalfe, And humbly pray the Said Sume may be accepted for the supply of the Charge of the said Shippe & that by y^r Lopps favors & meanes his Maty may be moved to accomodate us with such a Shippe, which of our selves we cannot provide. And we doe hereby further humbly informe y^r honors that by the said letters from His Matys Counsell of the Marches the severall Sheriffes of the Counties in Wales are directed to restorne their monies to the Lord President of the Said Counsell, in regard whereof we humbly pray y^r Lopps direction where & to whome the monies to be retorned from the Cittie & County of Chester, & the Counties of Lancaster and Cumberland, & the Citties & Burroughes herein mencioned (being all of them out of the said marches) are to be paid. And Soe humbly submittinge our Selves herein to y^r honors favorable considerations, we doe in all humblenes take our leaves & rest

Yr honors in all observance

Letter from the Council offering to *lend* a Ship for £2204., to be paid to the Treasurer of the Navy and Ordnance, &c.

After our hartie comendacions—We have received y^r letter of the 12th of January, whereby we find what care and diligence you have used in the pursuance of His Mats Writt & the directions of this Board, Which care & readines as we cannot but comend, soe wee will upon all occasions favourably represent the Same unto his Maty for your advantage. Now for as much as concerneth the Shippe of 400 Tunnes, which you are to furnish for His Mats Service, he is gratically pleased upon your humble mocion to lend you one of his owne, And for the 2204 assessed & to be levvyed by you, in regard the said service doth require extraordinry speed, & as little losse of time as maye be, Wee thinke itt fitt, & doe hereby accordingly charge & comand you to cause the same to be sent up hither by some Sufficient & able men, to be paid unto the office of his Matys navye & ordnance respectively, where order shall be given to receive & give acquittance for the same, which shall be Sufficient for your discharge. And if you desire to knowe howe the Said moneys are disposed of you may authorize some one skilfull in affaires of that kind to see how they are bestowed, & make report hereof unto you. And Soe we bid you hartily farewell ffrom the Court at Whitehall the 24th of January 1634

Yr loving frends

THO: COVENTRYE C. S.
ARUNDELL & SURREY
T. EDMONDES
PORTLAND

FRA. COTTINGTON
THO: JERMYN
J. COKE

MANCHESTER
E. NEWBURGH
FRA. WINDEBANKE

To our loving frends the Maior &c of Chester, & the High Sheriffes
of the Co. of Chester Lanc. & Cumberland &c.

Letter to Mr. Chetham from the Mayor and Aldermen of Chester inclosing the foregoing.

Worpth S^r

We have lately received letters from the Lords in answer to those of ours you know were formerly written. Whereby their Lopps are pleased to give good approbation of our service & to direct to whome our moneys shalbe paid in London as appeares by a Copy of their Lopps said letter, which we have have sent you here included.

We should willingly have sent the Lords' letter unto you but beinge we are (you know) to give notice thereof to divers, & cannot send one & the same letter severall waies, we are inforced to send Copies thereof, which course we have likewise held to the Sheriffe of Cumberland & Maiors of Lancaster & Carlisle, to whom we desire you will take speedie course for delivery of our severall letters unto them importing the Same in substance we certify you.

ffor Liverpoole and other the welsh Counties & places we will take such course they shall have fittinge notice hereof; and we much desire since our labours hitherto are so well accepted, none of us maye be found negligent in finishinge the worke.

We desire you will by this bearer (who we purposely send to you) certify us of your receipt hereof & that you have taken course for speedy convayance of our others accordinge to their severall sup^rscrip-

tions : for, we shall have occasion (amongst other things) to certify the Lords of our doings herein, and soe with our hartie comendations we leave & rest

F. GAMAL mair
THO. SMITHE
EDW. WHITBY Rec
WILLIAM GAMALL
NICHOLAS INCE

Yr very lovinge ffreinds

RICHARD DUTTON
WILL: SPARKE
RANDLE HOLME
WILLIAM INCE } VIC:
THOMAS EATON }

Chester the —

of February 1634

To the right worp^{ll} our very Lo. ffreind Humfrey Cheetham Esquire,
High Sheriffe of the County of Lanc. Dd.

Proclamation by the King to the Sheriffs of Counties in the Marches of Wales, in answer to their memorial for levying
£2200. in lieu of a Ship of War.

BY THE KINGE.

Trusty and right well beloved, We greet you well, Whereas a memorial for our Councell in our Marches of Wales was lately delivered at our Councell board, by our right trusty & right welbeloved Sr John Cooke, Knight, (our principall Secretary to our right trusty & right entyrelly beloved Cousen & Counsellor, John, Earle of Bridgewater, Lord President of our said Counsel, in our Marches of Wales) which memoriall followeth in these words; A memoriall for the Councell in the Marches of Wales, his Mats writt is sent to all the Citties and Townes Corporate upon the Coast of Wales, Cheshire, Lancashire, & Cumberland, namely to Milford Haven, Cardiffe, the Cittye & County of Carmarthen, St. David's, Newport, Cardigan, Denbigh, Carnarvon, Liverpoole, Anglesey, flinte, Chester, Bew-marris, Lancaster, & Carlile, with the Townes & places adjoyninge, that they shall prepare fitt & furnish a Shipp of fower hundred Tonnes with double equipage, manned with fower hundred & sixty men, to Serve His Maty for seaven monthes, accomptinge one moneth thereof for their charge in harborough, and to bringe aboute to the Downes, where the rendivous of the fleet is appointed, the first day of Aprill next, and in case the cannot supply themselves in those partes with such a Shipp of warre fitt for such Service, upon representation thereof to the Counsell Board, His Maty may bee moved to accomodate them therewith, they supplying the Charge in money, which will amount to two thousand and two hundred pounds, for leavyinge of which Some, a present Course must be taken, accordinge to the Writt by the Magistrates of every place, or in case of defaulte, after thirty days, since the delivery of the Writt, the Sheriffe of every County must both make the leviation and cause the money to be levied by distresse (if need bee) that wherein the assistance of the Counsell is required, is to require from the Sheriffes a speedy accompt of their proceedings, and to take order that the taxation be made equally without delay, that the Service may not thereby be frustrated; And in case the money bee collected, and the furnishinge of Such a Shippe to be lefte to His Maty, then the Said Counsell must cause the said moneys to bee forthwith restored to the Lord President to acquainte the Counsell board that direction & order may be given to the Treasurer of the Navye for the receipt & due expense thereof for this Service, upon due Consideration whereof and accordinge to direction in that behalfe given, by the said Lord President, Wee will & comand you and every of you with all convenient speed to proceed in the due execucion of our said Writt, and to see that the Severall taxacions

to bee made within your severall lymittes bee made equally & without partiality, and to certifie our said Counsell in our marches of Wales of all your proceedings therein. And particularly where you doe agree to provide the Shippe yourselves, or to leave it to us, to the end that if you agree upon the latter, then a speedy course may bee taken for retorning of the money to the Said Lord President, not fealinge herein, as you & every of you tender our service, and will answere the contrary at your perill. Given under our Signet for our Castle of Ludlowe the xxijth day of December the tenth yeare of our raigne.

To our trusty & right well beloved the Severall Sheriffes of our Severall Countyes of Pembroke, Glamorgan, Carmarthen, Monmouth, Cardigan, Denbighe, Carnarvon, Angleseye and flinte, and to our right well beloved the Maior and Sheriffes of our County borough of Carmarthen, & to every of them.

Letter from the Lords of the Council to the Mayor of Bristol on the same subject.

A LETTER TO THE MAIOR OF BRISTOL.

We have read and considered of your letter of the 18th of November last concerninge the execucion of his Mats writt to you directed, for the providing and Setting out of a Shipp of 800 Tuns, And have likewise heard your Agent who brought the Same in, what hee could further allege; and wee cannot but let you know that neither the excuses and queries by you made, nor the person by you employed were anie waie competent or answerable either to the importance of the Service or the duty of you required, nor worthy the consideration and dignity of this Board. And therefore as your said letter neither for the matter nor the manner hath given us anie satisfaction, but rather just cause the more to reprove you for your neglect of that service, soe wee likewise lett you know that in regard the tyme limited by the Said writt for you to make the Assessments and leavies upon the Said townes and places respectively is already expired, and that you have so much failed of your dutie therein; That therefore wee have comanded the High Sheriffes of the Countys of Somersett and Glocester, according to the writt to them directed, should proceed to make the Assessment upon the Said Citties Townes and places, and do in his Majesty's name likewise straitlye charge and enjoyne you (who by your owne neglect have deprived yourselves of the benefitt afforded unto you of setting your owne Rates) that you give all obedience & submitt to the Rates which shall be assessed by the Said Sheriffes upon every of the said Cities Townes & places. And that you the Magistrates of every of the Said places respectively do cause the Sume or Sumes assessed by the Sheriffes upon each Cittie Towne or place to be with equallity and indifferance, laid & levied by the pole upon the particular Inhabitants of the Same. And soe &c.

ffrom Whitehall the

9th December, 1634.

Roll of Assessment made by the Mayor and Aldermen of Chester and the Sheriffs of Counties, for providing a Ship of 400 Tons burden, &c.

Assessments made att the City of Chester the 12th day of January 1634, by us the Maiors, Aldermen, Bayliffes, Burgesses, Sheriffes, Cittizens and Comonalty, and by the severall High Sheriffes, whose names are under written, upon the Severall Cittyes, Burroughes, townes, places and Countys hereafter

particularly mencioned for the provision of a Shipp of 400 Tuns for His Matys Service by virtue of His Matys writt issued out of the High Court of Chancery, bearinge date the 20th day of October, Anno Caroli nunc Angliæ &c decimo.

Imprimis wee doe asseesse upon the Cittie of Cardigan in the County of } Glamorgan, and the members thereof in the Some of.....	15	0	0
Item wee doe asseesse upon the whole County of Glamorgan the Some of.....	200	0	0
Item wee doe asseesse upon the County of the Burrough of Carmarthen & the } members thereof the Somme of.....	15	0	0
Item wee doe asseesse upon the whole County of Carmarthen.....	100	0	0
Item wee doe asseesse upon the City of St. David's in the County of Pembroke } & the members thereof the Somme of.....	2	0	0
Item wee doe asseesse upon the whole County of Pembroke the Some of.....	100	0	0
Item wee doe asseesse upon the Burrough of Newport and the members thereof } the Some of.....	8	0	0
Item wee doe asseesse upon the whole County of Monmouth the Sume of.....	170	0	0
Item wee doe asseesse uppon the towne of Cardigan & the members thereof the } Some of.....	4	0	0
Item wee doe asseesse upon the whole County of Cardigan the Sume of.....	54	0	0
Item wee doe asseesse upon the Burrough of Denbigh & the members thereof } the Some of.....	10	0	0
Item wee doe asseesse upon the whole County of Denbigh the Sume of.....	160	0	0
Item wee doe asseesse upon the Burrough of Carnarvon & the members thereof } the Some of.....	6	0	0
Item wee doe asseesse upon the whole County of Carnarvon the Sume of.....	100	0	0
Item wee doe asseesse upon the Towne of ffiint & the members thereof the Sume of	2	0	0
Item wee doe asseesse upon the whole County of ffiint the Some of.....	85	0	0
Item wee doe asseesse upon the Burrough of Bowmarris in the County of } Anglesey and the members thereof the Some of.....	10	0	0
Item wee doe asseesse upon the whole County of Anglesey the Some of.....	70	0	0
Item wee doe asseesse upon the whole City of Chester & the members thereof } the Some of.....	100	0	0
Item wee doe asseesse upon the whole County of Chester the Some of.....	300	0	0
Item wee doe asseesse upon the Towne of Liverpoole in the County of Lancaster } & the members thereof the Some of.....	15	0	0
Item wee doe asseesse upon the Towne of Lancaster in the County of Lancaster } & the members thereof the Some of.....	8	0	0
Item wee doe asseesse the whole County of Lancaster the Some of.....	475	0	0
Item wee doe asseesse upon the City of Carlile in the County of Cumberland } & the members thereof the Sume of.....	15	0	0
Item wee doe asseesse upon the County of Cumberland the Some of.....	180	0	0

F. GAMAL mair Civit: Chester

THO. SMITHE

EDW: WHITBY Rec:

WILL. SPARKE

RANDLE HOLME Ald:

THO: ASTON Vic: Cestriæ

JOHN SCONEFIELD Vic: Pemb:

WAT: LOUGHER Vic: Glam:

THO. VAUGHAN Vic: Carmarthen:

GEORGD MILBORN Vic: Monmouth:

WILLIAM INCE }
 THOMAS EATON } Vic.
 GTH LLOYD un: Ball: vill: de Cardiff
 THOMAS MARGESS Maior St. Dd's
 RHYS WILLIAMS Mair de Newport
 DAVID PARRY maior Car.
 HUGHES LLOYD Alder: Denby
 FOULKE SALUSBURY Bayliffe de Denbigh
 WILLIAM JOHNSON Bailiff Carmarthen Towne
 PETER ELLIS Bailiffe of Flint
 ROBERT WILLIAMSON Maior of Liverpoole
 BENJ: BULKELEY Maior Bellomor:
 ROBERT THOMPSON Maior Lanc:
 AMBROSE NICHOLSON Mair Civit: Carlile

HE: PHILLIPPES Vic: Card:
 HUGHES LLOYD Vic: Denbigh
 WILL: GLYNNE Vic: Com: Carnarvon.
 EDW: WYNNE Vic: Com: Anglesey
 PETER GRIFFITH Vic: fflynte
 HUMFREY CHEETAM Vic: Lanc:
 RICHARD BARWIS Vic: Cumb:

A Letter from Sir Cecil Trafford on this Subject, dated 3rd January, 1634.

Mr: Sheriffe

I hope you will excuse mee for my late sending you venison for in truth I was ashamed my keeper cold doe noe better though hee had Mr. Fox to help him. I have in recompense of your patience sent you a quarter of a hinde, & if you neede more venison I pray lett me knowe and you shall have assoone as it will be kild. I have perused our directions from His Maty & the Llds for the levying of men & money within this County & compared it with Cheshire, & find that some time Cheshire hath byn equall to us, sometyme deeper charged, & sometymes this County hath borne 3 parts & Cheshire 2. yet I clerely hold equality is the best rate betweene the Countys, though Cheshire be lesse yet it is generally better land, & not soe much mosses & barren ground in it. Mr. Adam Smiths is now with mee & acquainted mee with your desire, which I will as willingly performe as you desire, if God make mee able; for I have byn a little troubled with Rewme in my head this two dayes, though I am better today; I have looked for the Coppy of the Letter from the Llds of the Councell for providing a Shipp in this County, but yet I cannot find it; but I find this proclamation for the discharge of it and by my remembrance in writing on the back of the proclamation you may see the charge of money demanded by the Kinge & Llds, because the Shipp could not possibly be provided in time, I shall further acquaint you with my booke of Lieutenancy wherein are those few notes of remembrance. I desire to know your tyme of going, & I will prepare myself for you accordingly, and thus with my harty comendations to you I rest

Your well wishing ffrend

Trafford the third
 of January 1634.

CECYLL TRAFFORD.

To the right worth my very good ffreind Humfrey Chetam esq.
 High Sheriffe of the County of Lancaster at his House
 at Clayton these present.

A P P E N D I X.

APPENDIX, No. 2, CONTAINING LETTERS AND PAPERS RELATING TO THE SECOND LEVY OF SHIP MONEY, 1635.

Copy of an Original Letter from the Lords of His Majesty's Council to the High Sheriffe, relating to the Writt issued for providing a Ship of 350 Tons burden, dated from Whitehall 12th August, 1635.

After our hearty comendacons; Whereas his Matie hath sent you his writt to provide one Shipp of Three hundred and fifty Tunnes to be furnished with men, tackle, munition, victuall and other necessaries to bee sett forth for the safeguard of the Seas and defence of the Realme, at the charges of the County and the Corporate Townes in the same writt menconed. And by the same writt hath comanded, That you the Sheriffe of the County and you the Maiors and Head Officers of the Corporate Townes, or the greatest part of you, (whereof the Sheriffe of the County to bee one) shall within thirty dayes after receipt hereof, assess and sett downe how much every of the said Corporate Townes shall pay, and after to proceed on, in the further execucon of that service, as by the said Writt appeareth, Wee are by His Maties direction and Comandement to lett you knowe that Hee hath, upon most important and weighty reasons, concerning not only his owne honor and the antient renowne of this Nation, but the safety of yourselves, and all his Subjects in these troublesome & wailike times, sent out the aforesaid Writt to you, and the like into all other Counties, Citties, and Townes throughout the whole kingdome, That as all are concerned in y. mutuall defense of one another so all might put to their helping hands for the making of such pparations, as (by the blessing of God) may secure this Realme agaynst those daingers & extremities wch have distressed other Nacions, & are the comon effects of warre, whensoever it taketh a people unprepared. And therefore, as his Matie doubteth not of the redinesse of all his Subjects, to contribute hereunto with cheerefullnesse and alacrity, so he doth especially require your care & diligence in the ordering of this Businesse, so much concerninge his Matie & his people, that no inequality or other miscarriage may either retarde or disgrace the service; wch, in itselfe is so just, honorable and necessary; ffor which cause wee have by his Maties like dicecion sent you, together with the said Writt the ensuing advises and instructious for your better proceeding. First therefore, whereas by the said Writt you the High Sheriffe of the County are only of the Quorum, for making of the Assessments, It is to be understood by you all, that his Maties intention therein was, and is, That in case any of you, the Maiors and Head Officers of Corporate Townes, desyreing the ease of your owne Townes, beyond that which is meete, should make a major number and plurality of Votes, and thereby lay or leave a greater burthen uppon any other of the Corporate Townes or upon the body of the County then were fitt, That the Sheriffe, who is presumed to stand alike affected to all the Corporate Townes, might have some power to balance that inequality, and also might not bee over-ruled by the Maior vote, to the prejudice of the County, which is the greater body; But it is likewise to bee understood, That his Matie expects that equality and indifferency in you the High Sheriffe, that

you neither favour one Corporate Towne above another, nor the County itselfe, above the Corporate towns, but that you use the power given you by the said writt with such moderacion, as may occasion the greater readinesse in all to contribute, and may give noe cause to any to grudge or repyne for any partiality or inequality in the Assessment. Secondly, because divers of you may bee unacquainted with the Charges of such maratime preparacions, and the mistaking thereof might hinder the Service; Wee have thought good to lett you knowe, That upon a due and just calculation wee find that the charge of a Shippe of that burthen so manned & furnished will bee three thousand five hundred pounds, And to prevent difficulty in the dividing the Assessments uppon the Corporate Townes, wee having informed ourselves the best wee may of the present condicon of the Corporate Townes, and what proportion of that Charge each of them is fitt to beare, doe conceive That the Towne of Preston may well beare fifty pounds, Lancaster Thirty pounds, Liverpoole Twenty pounds, Wiggan Fifty pounds, Clitheroe five pounds, Newton five pounds, And the residue of the said three thousand and five hundred pounds is to bee assessed upon the rest of the County; And these rates wee wish to bee observed, rather than any differences of opinion amongst you of the Corporations, and the Sheriffe of the County should retarde the Service; Howbeit we are so farre content to give way to your Judgments, who are upon the place, that in case the major part of you of the Corporation shall agree upon any other rates, and that the Sheriffe of the County shall approve the same, the rates sett by the major part of you and approved by the Sheriffe of the County shall stand, albeit they varie from these expressed in our letters. It being his Maties desire, and the intention of this board, that all things should bee done with as much equality and justice as is possible for us, or you, to discerne; Thirdly when you have agreed upon the generall assessm^t what shall be borne by every Corporate Towne, and what by the rest of the County, Wee thinke fitt you subdivide the same, and make the particular Assessment in Such sort as other comon payments upon the County or Corporate Townes are most usually subdivided and assessed; And namely that you the Sheriffe divide the whole Charge laid upon the County into hundreds, Laths, or other divisions, and these into parishes and Townes, and the Townes & parishes must bee rated by the houses and Lands, lying within such parishes or Townes, as is accustomed in other comon payments, which fall out to be payable by the County hundreds Laths divisions parishes & Townes; Saving that it is His Majesty's pleasure that where there shall happen to bee any men of ability, by reason of gainfull trades, great stocks of money, or other personall estate, who perchance have or occupy either none or little land, and consequently in an ordinary Landscott would pay nothing or very little, such men be rated and assessed according to their worth & ability, and that the moneys which shall be levied upon such may be applied to the sparing and easing of such as being either of weake estate or charged with many children or greate debts, are unable to beare so greate a charge, as the lands in their occupation might require in an usuall and an ordinary proportion, And the like course to be held by you in the Corporate Townes, that a poore man bee not Sett in respect of the usuall taxes of his house or the like, at a greater Sume then others of much more wealth and ability; And to the end this may bee effected with more equality and expedicion you the Sheriffe may send forth your warrants to the Constables of the severall hundreds requiring them to call unto them some discreete & sufficient men of every parish, Towne and tything, and to consider with them, how the Sume charged upon each hundred may bee distributed & divided as aforesaid, and with most equality & indifferency, and to retorne the same to you, wch being done, you may give order for collection thereof by y^e constables of hundreds, pety Constables, and others usually employed for colection of other comon charges & payments; And when any shalbee by them retorned to you, either to refuse or to neglect to make payment, you are without delay to execute your writt upon them; And you the Maiors & Head officers of corporate Townes, observing your usual distribucions by wards parishes & otherwise, as is accustomed among you for your comon payments, are for your parts to doe the like by yourselves and your severall ministers under you, respectively, as is before appointed, to be done by the Sheriffe, as farre forth as may be apt and

Yr very Loving ffreinds

FRAN: WINDEBANKE

Lancashire.

96 in toto

Of this 96 as is abovesaid disbursed, 50 ^{1b} 3 ^{1b} 2 ⁴
according to an acc^t sent my Lo. Newburgh

Letter from Mr. Nicholas, the Secretary to the Council, requiring the High Sheriff's account of what had been done regarding the Writ, &c.

Sir

By order from His Matie & the Councill Table (dated the 8th of this instant November) I am to desire forthwith you retorne unto the Councill Chamber a true Accompt, what you have done in performance of the Service required by his Maty's Writ lately sent you for the assessing & leavyng of money for the setting forth & furnishing of a Shippe of three hundred and fifty Tunnes against the next yeare, for safegarde of the Seas, & defence of the kingdome; wherein you are to set downe particularly what is assessed upon each Division and Corporate Towne in the Said Countye, howe much of the Same you have leavyed, & readye in your hands for this Service: And you are likewyse from time to time to Send to me in wrighting weekly advertizements of your proceedings in that Service, & in what state and forwardnes the Service is. That (according to the comands I have received) I may acquaint his Maty & their Lops therewith, and you receive from the Board such directions as shall be requisite upon any urgent occasion for the advantage of soe important a Service, whereof I pray fayle not to be very carefull. And Soe I rest

Yr very loving friend

EDW. NICHOLAS

ffrom my house next to the Signe of the Axe in
King streete Westminster 9^o No^{bis} 1635

Lancaster

To The Right Worsh^l Humphry Cheetam esq. highe
Sheriffe of the County of Lancaster—these—

A Letter from Mr. Chetham in reply to the foregoing, with a full account of his proceedings.

Right Hon^{ble}

My most humble dutie remembred. Maie it please your Lordships. I receaved his Maties writt the 25 of August last, dated the 4th of the same month, directed unto mee the sheriffe of the Countie of Lancaster, & to the Maior Bailiffes & Comonalties of the Towne of Lancaster, to the Maior & Bailiffs of the Towne of Liverpoole, to the Maior & Burgesses of the Towne of Preston in Amond^{rs} to the Maior & Burgesses of the Towne of Wiggan, to the Bailiffs & Burgesses of the Towne of Cliderow, & to the Steward & Burgesses of the Towne of Newton, with others for the providing of a Ship of warr of the burden of 350 Tuns, for the defence & safeguard of this Realme, at the Charge of the Corporate & Burrough Townes aforesaid, with the rest of the Countie;—I likewise together with the same writt received a letter from your Lordships bearing date the 12th of August last, directing the execution thereof; In all humble obedience unto both which, & in due consideration of the Importante service therein required at my hands, & the present necessity that calls for all possible expedicion, I forthwith assembled the forsaid Maiors Burgesses & other officers of the Townes aforesaid, interested in the Same charge, where after some reasonable tyme spent, in consideration had of the equall assessing of the townes aforesaid, wee concluded the same sune for the total sett downe for all the townes in your Lordshipp's letter, although in the dividing thereof, wee made some small alteration. Thus farr gone on without anie great interruption in the Servis, I proceeded according to the particular comand given mee by your Lordships letter, & divided the rest of the charge upon the Hundreds of the Countie by the direction of a book of rates, which is usuall for our rule in other comon payments; which done I writt severall precepts or warrants according to the Instrucions of his Matys Writt & your Lordshipp's

letter, & directed them to the high Constables of the Several Hundreds of the Countie, & by speciall messengers made as speedie a conveyance thereof as I could devise, who after the deliberate perusall of my warrants, & consideration of the Instructions therein given, the Said high Constables called unto them the petie constables & such discreete & sufficient men, of everie parish, towne & Hamlett within theire severall hundreds, as they thought fitt to assist them in the equall & indifferent dividing & distributinge of such respective charge, as was assessed in everie hundred throughout the Countie, which after manie daies spent in debating of the premisses, though the worke proved more tedious then I could have wisht, in regard of the expedicion required at our hands, at length an Assessment was concluded on everie severall parish towne & hamlet, & returned to mee under the hands of the said High Constables, & theire assistance respectively of every hundred throughout the Countie; which when I had perused, & the Assessors strictlie examined of the Integritie of that Assessment, I made them out severall warrants under the Seale of my office, for the collecting thereof, with such observations therein, to governe their proceedings as was prescribed unto mee by his Matys Writt & your Lordships letter, with limitations of fortie daies to paie me the monie; And for theire owne ease, though less to mine, I apointed Preston in Amoundernes, as the place most indifferent for convention of the Countie, but in the interim when they came to apporcion out everie man's particular share, which they thought equall for him to beare according to his abilitie, & the same to collect according to the same assessment, although that Same was done with good advise & great circumspection as the Assessors profest unto mee, yet manie & greivous complaints were made by all sorts of people, especially the Clergie & poorer sort, of the unequall dividing & distributing of the Same assessment unto particular persons, manie denying & withholding payment, which principally & above all other interruptions did most retard the Service, which, as a stranger both to their persons & abilities, I could not judge & determine of, but rather thought it most agreeable to the good Successe of the Service to pursue your Lordships direction in that case provided, to remove such Impediments. Severall daies almost in everie weeke thus spent both by myself & other officers interested in this Service, for the preparing of the Some of 3500 apointed to bee paid at Preston in Amound^{nes} according to the tenor of my warrant, I went thither & tooke with me Such assistance ffor the saffie conveyance of such a charge as was meet; where expecting that money should readily have come to my hands, I met with nothing for the first 2 days, but complaints & loud exclamations against unjust & unequall taxacions, by particular men in theire own behalfe, which so soone as I had appeased the tumult, & reduced the confusion into some order, I told the high Constables (so many as were there) to give an accompt, how they had collected their Severall Sumes given them in charge, & likewise performed the rest of the Service, comitted to their care & trust, whene I found a general defect, none of them having received the aforesaid, which they did stronglie avouch was no neglect or remisnes in them, but rather in the Subconstables, who had not brobght it to their hands, the subconstables likewise for theire excuse protested, that though they had given all diligence to have collected the money, yet some nonsolvents, which they were forced to distraine, & some refractorie persons which they could not find, nor get goods to distraine, & other indigent persons, which have not wherewithall to paie; had beene the chiefe impediments to the Service, which to help I tooke such course by vertue of his Matys writt, as the present necessity required, whereby with much adoe in some fewe daies, I gayned the receipt of the totall Summe, that was charged upon 4 of the Hundreds in the Countie; the rest of the Countie (to witt) the other 2 Hundreds, having made little proceeding in the Service assigned to them, by reason (as they said) of the Impediments forealledged, craved twentie daies longer tyme for theire payments, which I was forced to grant, at which tyme with much difficulty (as they protested) they brought all the rest for the County, except onlie some verie poore, for small Somes, where they could find nothing to levie on, and other refractorie persons which they could not light on, within

theire liberties, to answer theire contempt. This being the effect of my reall proceedings in execucion of his Maty's writt, by the Instruction of your Lordships letter, I not onlie in all humblenes, offer the Same as a conclusion of the Service, but likewyse crave your Lordship's further direction, where, when, & to whom, the Some of 3500^l aforesaid must bee paid. & soe in all humblenes I take my leave & rest

Your Lordships in all dutie
to bee comanded
HUMPHRY CHEETAM

A Letter from the Secretary to the Council to Mr. George Chetham, Factor to the High Sheriff, requiring to know why the money was not paid.

Sir

The Lords of the Counsell being informed that the High Sheriffe of Lancashire (whose factor you are) hath retorned hither to London the greatest parte of the money assessed & leavyed on that County, have comanded me to Send to receive from you an account why the Same is is not paid in unto the Treasurer of his Majesty's navy. I pray therefore lett me speake with you this day or tomorrow about 11 o'Clock in the morning concerning this busines, that I may give an account of the Same to their Lordships & bring with you the Undersheriff of that County. I write in hast & rest

Yr affectionate freind

from my howse next the signe of the Axe
in King streete Westminster, 10^o Decemb. 1635.

EDW. NICHOLAS.

To my very loving freind Mr. Cheetam, factor for y^e Highe Sheriffe
of Lancashire at his Lodgings in Basingshaw near Blackwell Hall, These
post

Copy of the original Receipt for the money paid by Mr. George Chetham, on behalf of the High Sheriff, by Sir William Russell, Knight, and Baronet, Treasurer of the Navy, &c.

This Indenture made the eighteenth day of December Ano Dom. 1635. And in the Eleaventh yeare of the Raigne of our gracious Soveraigne Lo. Charles of England &c.

Between the king's most excellent Matie on the first pte. Georg Chetham (for and on the behalf of Humfrey Chetham Esq. High Sherriffe of the County of Lancaster) on the second pte. And S^r William Russell Knight & Barronett Trear of his Maties Navy on the third pte. Wittneseth that the said Georg Cheteham (for and on the behalfe of the said High Sheriffe) hath paid unto the said Trear of his Maties Navy the Some of three thowsand & fiive hundred pounds of good and lawful money of England in full of the Some of three thowsand five hundred charged upon the said County of Lancaster and the corpacon townes therein, And collected by virtue of his Maties writt bearinge Teste the fflowerth day of August last past, for & towards the ppareing, fitting & furnishing and seeting forth to sea in warlike manner one Shipp of the burthen of 350 Tonnes intended by his Matie to bee sett forth this next yeare for saveguard of the Sea & defense of the Realme, Of which said Some of 3500^l the said Trear doth acknowledg the receipt, and thereof doth exonerate & dischargde the said High Sheriffe & County of Lancaster & the corporacon Townes therein, by these psents, As he the said Trear is

warranted by his Maties Comission under the great Seale of England bearing date the xvjth day of November last past. In witness whereof thesaid Trear of his Matie's Navy hath hereunto put his hand & Seale the day and yeare above written.

WM. RUSSELL (L.S.)

Sealed & delivered in the psence of

EDW. FENNE

&

JOHN GOOLD

A very interesting letter from Mr. George Chetham to the High Sheriff, with a full and particular Account of this business, and inclosing the foregoing Recèipt from Sir Wm. Russell.

London y^e 21^o December 1635

Good Sir

My Service remembered to you. My last letter was by Henrey Creigh, wherein I writt I was payinge the Shipp Money, which now is paid, as may appeare by the discharge inclosed, and one Saterdag after I had don, I went to my Lo. Newbrough's and lett him see the dischargd, & hee tould mee ytt was well, and I lett M^r Nicholles see ytt in like manner. My Lord Nubrough tould me there was tow things I must informe him of; First hee heard you had had this money in your hands since Mihelmas, I tould him that was not soe, for 14 days agoe you writt me you had not receaved all, and I did thinke that you had not receaved all, only weare willing to disburse some that you might bee freed from your office. The second thinge was hee heard you had levyed more uppon the County then the some you weare appoynted, which is ¹⁵3500, which you may not doe, sayth my Lo:, I tould him I did not knowe any such thinge, nether did I thinke ytt was soe, hee tould mee those thinges weare whispered, and if any such thinges you have done in receaving more, then you must make retribution. My Lo: wished me to informe you of those thinges privately, and make noe words of ytt, for hee would keepe it from the kinges eares, who, my Lo: sayth is possessed with a good oppinion of you, and hee sayth hee knows he can procure the kings letter to give you thanks for your good Service to his Maty. Butt sayth my Lo: If after the king should heare of these thinges, ytt would be very ill taken, and sayth my Lo: you weare ill advysed to doe these thinges, for ytt is not warrantable nor saffe.

And my Lo: tould mee some Sheriffs heartofore had attempted to doe the like, but weare shroddly snubed for ytt, for sayth my Lo: you are to be allowed your chargs uppon this or any other occations, when you make upp your Accountps as hath beene don formerly to Sherieffs. My Lo: did speake very respectivly of you, and would not have these thinges to be.—And nowe I suppose I shall Salut you with a welcome letter; Yesterday beinge Sunday, I did attend at the Court, having spoken to my Lo: Nubrough, that hee would move the Kinge you might bee discharged, the mony beinge paid, which hee did, the Kinge was att Cuncell-table himselfe, and hath pricked a new Sheriffe for Lancashere, so M^r Nichollas, Clarke of the Councell tould me, but hee could not tell me derectly whoe ytt was;—I went to my Lo: Nubrough, for hee wished mee to come to his howse in the eveninge, And hee tould me there was a newe Sheriffe pricked for Lancashere. I desidrd of his Lo.p to knowe whoe ytt was, he was loth to tell me, & then he tould mee S^r John Talbatt. Butt he wished by any meanes I should not give you notice of ytt. I knowe not whatt hee mentt by ytt. And my Lo: tould mee the kinge did take notice of your good servisse, and for that porpose there is a letter to come from the Counsell to give you thanks, and I think my Lo: would not have you heare of the news before that letter come to your hands, which I am to call to M^r Nichollas for some tyme this week, I am nowe consideringe

whether I should write you Sheriffe or noe; I doe not knowe whether you hould your office till the other bee sworne, And therefore I shall observe my usuall manner.—

To my best remembrance when Rog Rogerson was in London last, I heard him say you did levy ¹⁰⁰ more then the Sume. Howe these thinges come to be spoke of I knowe not; I wishe he may have don noe hurt to the bussines.—Robte Lowe paid butt ⁵⁰⁰, & made meanes with S^r W^m Russell to stay for the rest, which was allowed of, soe delivered in his bill. You desire to bee remembred to M^r Lightbowne, whoe wentt xj dayes agoe to his Uncle's in Essex.—

The Missenger beinge ready to goe, I must not be fferther tedious, butt rest

your lovinge Cossen to
comand GEO: CHETHAM

To the right worth Humfrey Chetham Esq^r

highe Sheriffe of Lancashire neare Manchester—these

A second Letter from Mr. George Chetham to the High Sheriff on the same subject.

London y^e 1st of January 1635

Good S^r.

I expected you cominge to London this weeke, and accordingly wee did make Some preparations for you, & your Company, 3 chambers beinge fitted for you, and one tusday last, for soe you intended to be in London, as you writt me of, I was above 20 mylles for to have mett you, and therefore the last weeke I did forbear to writt to you, and because I could give you intelligence by the first, I writt you a letter the day after—A new Sheriffe was pricked, & the man being a Londoner which intended to goe to Manchester, his horse tyered by the way, & 3 days after I reed your letter againe, which I was very sorry for, if it had come as intended the letter would have been with you one Christmas Eve, which letter you shall receave inclosed; and a letter from the Councell, which I might have sent last weeke if I had thought you would have come to London; which by your letter received yesterday, I perceave you will not. I did likewise forbear to deliver the letter you sent to the Lo: of the Counsell, which letter I delivered to Mr. Nicholles Clarke of the Councell, whoe tould me itt should be delivered one Sunday next. I did not deliver the letter Roger Rogerson sent me, ytt beinge to noe porposse, for I had good accesse to my Lo:—The money was paid, & a newe Sheriffe pricked before his letter came. And my Lo: Nubrough his Secretary tould me Roger Rogerson your Under Sheriffe had don you an ill office in the payment of the money, and Sayth hee Rogerson would doe what he could to keepe of the money paid, being for his benifite. My Lo: tould me soe sone as I paid the money a newe Sheriffe should be pricked, which accordingly was don. I did not lett M^r Nicholles soe your letter which you wished to doe, because ytt was not necessary. In your letter this weeke I perceave you have given order for 300 to receave of M^r Hough, there being noe occation for ytt. I have sent you the note inclosed & you may receave your money againe; I know you heare long before this who is Sheriffe, S^r John Talbatt. I shall send M^r Lightbowne this letter within 4 or 5 dayes. I sent you last weeke 200 of London pipins in wool paks, I hope you have received. For this tyme I comitt you to god & rest.

Y^r lovinn Cossen to comand

GEO. CHETHAM

Pd in chargs for the payment
of the 3500, ¹⁰ 9 ⁴ 6.

I have rec^d of ould Billingsby in parte of a bad debt 6 15, which he is to pay yearly, soe longe as hee lives, you may call to your men for this mony, and lett them putt ytt to my Ac. G: C.

Original Letter from the Lords of the Council conveying His Majesty's thanks to the High Sheriff for his Services during his Shrievalty.

After our hartie commendacons. Whereas wee have acquainted his Matie that you have paid in the whole some required for setting forth and furnishing a Shipp of 350 Tones, at the charge of the Countie of Lancaster, of which your care and dilligence, his Matie hath bin pleased to take especiall notice, and therefore hath not onely eased you of your office, by appointing a new Sheriff for that Countie, but hath likewise given us command, to signifie to you, his gracious exceptance of the forward and ready payment made of the said moneys, as a testimony of the good affection of those of that Countie, and wee for our parte, shall be ready upon all occasions for your advantage, to put his Matie in minde thereof. And so wee bid you farewell from the Court at Whitehall the 23 of December 1635

Yor loving freinds

H. MANCHESTER

FRA. COTTINGTON

H. CARY.

ED. NEWBURGH

THO. JERMYN

J. COKE

FRAN. WINDEBANK

EDW. NICHOLAS

To o^r loveing freind M^r Cheetham Esq^r
the late high Sheriff of the Countie of Lanc.

A Copie of a letter that I wrytt to my Lord Nubbruch.

Right Hon^{ble}

Maie it please your good Lordship.—The 11th day of this instant Januarie I receaved a letter from his Matie's most hon^{ble} privie Counsell, dated the 23rd of Dscember last, whereby & by my Cosen Cheetham his relacon, I find myself in speciall manner bound to your Lordship for your Lordship's good opinion & report of mee, & lykewise to the rest of their Honors for representing my weake service unto his Matie by there comendacons, which letter as a testimony of his Maties gracious acceptance of my poore but best endeavors doth much rejoyce mee, But perceaving by my Cosen his letter some whispering aspersions intimateing my unfaithfull dealing in the execucion of his Maties writt and that (either in neglect of the Service of so waighty importance, or for my own advantage) I have reced & kept back the ship mony, in my hand from michmas untill almost Christmas, perceiving^{ly} likewyse that your Lordship hath heard that I have levied a sum of money over and besides the 3500 impored upon our County of Lancaster, with the Corporate & burrough Townes therein, and the Same Sum or part thereof reserved unto myselfe, and my own benefitt, of both which thinges being sensible to my greate greife, I humblie crave your Lordship's favorable admittance of theise few lines for clearing of my innocencie therein, and your Lordship's better satisfaction.

True it is that in the beginning of November last, I receaved in one weeke the Sume of 2000^{ly} or thereabout of the Ship money, and the Same Sume the Same weeke & the weeke following, I paid out to Tradsmen in & about Manchester to be returned & paid to my kinsman in London in the latter end of November & the beginning of December following, because at shorter time they would not undertake the return thereof, the other part of the Ship money being^{ly} about 1500 came to my hands the latter end of November & beginning of December, all excepting 200, which I rec^d not till 10 daies after all the rest, which money I likewyse forthwith paid without detaining any part thereof in my hands the space of

2 daies, or any benefitt thereby, & tooke bills of Exchange for the Same payable about the 20th & latter end of december, as by the same bills of Exchange may yett be manifestly proved. And furthermore my Lo: it is likewyse true that at the Same tyme that I made an assessment of the County by our booke of rates, which is our rule & guide in all our leyes & Assessments, and by the assistance of my neighbours the Justices of the Peace, S^r Cecill Trafford, M^r Assheton de Middleton, M^r Greenhalgh de Brandlesome, M^r Radcliffe de Manchester & others, I did then communicate with them my intent to levie on the Countie, 96 to bear the charges in execucion of the writt, with my purpose, likewise to retribute the remainder or overplus of the Sume backe again to the Countie (if any Such there were remaining) after due execucion thereof, & withall charged all the high Constables of the hundreds of the Countie, that neither they nor the pettie Constables should levie or collect more money than what was by their Severall warrants apointed, because (as I tould them) I had levied the Sume of 96 to beare the whole charges, which (with Submission unto your Lordship's interpretation) I understand my writt doth warrant me so to doe, which accordinglie as I conceaved mysele to be bound unto by the direction of my writt, so it is my great care punctually to observe the Same, but untill Such tyme as I had paid in the money & rec^d a discharge, & given an account of the 96 so levied as aforesaid to your Lordship, I thought it was neither safe nor convenient for me to returne the Same back again into the Countie; And the reason why I leaved the overplus as aforesaid, was because if it had hapned (as often it doth) that our Tradsmens hands had been full, or anie other defect in their Trade, so as the could not have undertaken the return thereof, then I should have been forced to have conveyed the Same by carriage, on horesback, & then a sufficient assistance for guarding of the Same charge to London would have cost 40 or 50^{lb} or if the Sheriff of Cheshire his money had been readie to have beene returned at the Same time (which I much doubted) one of the Counties must have carried their money by horses, because So great a Sume at one time could not have been returned by exchange in our Cunttrie, or if in the prosecution of the Service I had met with such impediments & strong oppositions, as some other Sheriffs in neighbour Counties did, the charge to have removed the Same might have exceeded the Sume levied; wherein if I have erred it hath beene by the opinion of those that are of more understanding & experience then mysele, whose advice hath misled mee, & for which I crave pardon, & your Lordship's further advise, whether I shall returne the remainder of the money according to this Account inclosed* back againe into the Countie, or the whole Sume of 96 levied, the which according to your Lordship's directions I shall forthwith performe.

Thus although I knowe your Lordships more serious occasions can hardlie give waie to matters of lesser moments, notwithstanding I have made bould Sincerely to informe your Lordship of the truth, lest being so traduced by theise whispering Suggestions, by my Silence your Lordship might thinke I wanted matter trulie to allege in my owne defence, & so craving pardon & your Lordship's favor, I humbly take my leave & rest

Your Lordship's in all dutie &
Service to be comanded

HUMFREY CHEETHAM

Copy of a Letter from Lord Newburgh in reply to the foregoing.

S^r

I have rec^d your letter, & for that parte of it which concernes your Supposed slackness of returning up the money for the Shipping, I am well satisfied that you have verie faithfullie & duly performed his

* Statement of the Items of the expenditure in applying the £96.

Maties service therein, and well merritted the acknowledgment the Lords of the Counsell were pleased to returne you for it, But for that overplus levied for the charges of collecting it, I have advised My Lo: Keeper & my Lo: privie Seale who both affirme, that it neither ought to be done, nor doth the writt warrant it, & that upon the like question at the Counsell table by other Shreives it hath been resolved, & the king himselfe hath declared, that no Sheriffe ought or should bee allowed to levie any money for that purpose, but that Shreives should execute this, as they do all other writts or Services for his Matie, wherefore I shall advise you to address yourselfe or some for you to the Judges & Justices at the Assizes next, & to make repayment of that overplus to bee disposed in such a course as they shall then direct & settle, oulie for that which you could not gather by reason of povertie, or that their persons or goods were not to bee found, being that last Some in your note, you maie easilie deduct, And so this being for no other cause, I rest

Y^r verie loving freind

E. NEWBURGH

Dutchie Howse
29 Jan: 1635

Another letter from Mr. George Chetham relating to the same affair.

London y^e 29^o January 1635

Good S^r

My last letter was by Robte Leaver—Since which tyme yesterday beinge Thursday, I was with my Lord Nubr: & there was with him M^r Blundell our Cuntree lawyer; After he had don with my Lo: my Lo: called me in, I beinge in the next roome. And hee wished M^r Blundell to stay, and did relate the bussines to him whatt you had written & likewise did reade over the note of chargs which was in my Lo: his letter: and did aske M^r Blundell his oppinion concerniuge the note of chargs you sent, and withall did lett M^r Blundell see the note which M^r Rogerson sent in my letter, which concerninge the meaninge of the kinge's writt. And M^r Blundell did read some of the latin, which was in the note, and Sayd it was not Soe to be understood that you should levey any thinge for chargs, And then my Lo: sayd he asked my Lo: keeper & my Lo: prevy Seale whether any allowance is to be made to Sheriffs. And the tould him noe, and my Lo. said some Sheriffs had attempted to doe the like; Butt the kinge hath declared himselfe thatt noe allowance shalbe made; I tould my Lo: you weare a man ffarr from doinge anythinge which is not justifiable in any kind, havinge don all thinges in Soe good manner, I tould my Lo: ytt was conterary to your mynd to transgresse in any kind; If you had not been misled by others, you had not don this; And then M^r Blundell made answer you weare wronged by your undersheriff, And tould my Lo: the cuntree was more troubled & greived to pay that which you leavied for chargs, then to pay the 3500, and M^r Blundell sayd the Sheriffe would not doe those things, but ytt is his undersheriffe. And M^r Blundell tould my Lo: hee asked the oppinion of a Judge concerninge the levyinge more then was to be payd, & the jndge said ytt was a Starre-Chamber bussines, my Lo: answered noe, ytt was butt an Error, and then M^r Blundell tould my Lo: you weare a verie honest Gent: and he never did knowe the business soe performed in his tyme; my Lo: said he heard well of you, which made him to give notisse of these thinge, and then my Lo: wished me to come this morn-inge, and would give you directions, whatt to doe with the money you leavied above 3500. You are to goe or send to the Judges & Justices of peace, and to repay the 96 exceptinge 3. 15 0 which you putt downe for abatmentts to poore people & non-solvants; Thus I have related whatt speeches weare before

my Lo: and then goinge I had Some speech with M^r Blundell, whoe tould mee hee was very sorry to heare the Clamer & complayntt made against you uppon the meetinge of the Justices, (for I perceave hee is one of them) because you did levy more then 3500. But sayth hee Rogerson is a premtory fellowe and will undertake anything, And thinks hee understands when he doth not.

If you goe or send to the Justices, you may doe well to repayre to M^r Blundell, because my Lo: acquainted him with the bussines, And for your further Satisfaction hearin, I refer you to my Lo: his letter inclosed, who tould me, this morninge, you did mistake the writt;—Indeed yesterday M^r Blundell tould me you should have asked the advise of a lawyer, whether you might have leavied more then 3500. I doe perceave uppon the repayinge again all will goe well. Only you have undergon some undeserved censures by beinge wronge advysed by others—Soe prayinge god to keep you I rest

Yr loving Cossen to comand

GRO CHETHAM

All the speech I had with my Lo: was in his owne howse, and M^r Blundell came I suppose upon his owne bussines. I writt this to give you notice wheree ytt was.

To the wor^{ll} my lovinge Uncle Humfrey Chetham Esq^r
neere Manchester these dd.

Letter from Jno. Lightbowne, Esq., respecting the High Sheriff's discharge, and other matters.

Right worthy S^r

My best service attend you &c.—I hope by this tyme you have receyved your welcome discharge of your troublesome office. I went about a weeke agoe unto y^e Clerke y^t wryts y^e patent for the new Sheriffe and the Amoveas for the ould, to inquire whether they were sent downe, who returned mee answere that they were: and that now it was the new Sheriffe's fault if you were not discharged.—Thus much I made bould to inqyre as of my selfe, because I knew your desire was to take leave of your office. Many other Sheriffs are not yet discharged. I wonder the Lords should order the repayment of the money you levyed for your just charges, for my owne parte, with submission, I cannot conceyve that clause in the end of the Comission to have any other effect, but for necessary charges in Collectinge: And Verba debent intelligi cum effectu, sayth the Lawyer. I remember when wee payd the first 500, & demanded charge, the Clerks of the Counsell and as I remember the Secretarye of Estate tould us you should have levyed your charge upon the Countrey. And I am verily perswaded that the most of the Sheriffs & heads of Townes Corporate in England doe soe. but perhaps some informacon might bee made against you.

God be thanked you have borne your selfe nobly throughout and you have perpetuated your prayse to posterity.

The Lord continue his Love unto you, and remunerate you with health and happiness, soe prayeth hee who desyareth to express himselfe upon all occasicons

Your Servant

J. LIGHTBOWNE

ffrom my Chamber over the
Chappell in Gray's Inne
22^d Feb. 1635

Letter from Mr. Rogerson, of Staple's Inn, respecting these monies, &c.

Right worth S^r

My service & respects not omitted though with multitude of busines prevented of my intencion to satisfie your expectation before the receipt of your letter; my delay was my fulnes of attendance, but rather my desire to have a plenarie direction rather then in parte, which untill yesternight I could not obtain, for which (though I had formerlie often inquired) I was yesternight sent for to one M^r Nicholas, one of the Clarkes of the Counsell, who first shewing me the contents of the letter (which I have inclosed) tending to this effect that you should render a weeklie accompt howe the busines proceeds, or rather in regard our County as hee sayth (though otherwise in the bodye of the letter) is farre remote, within a fortnight or more, how you proceed touchinge the Shippe money, after the receipt of your letter, noe time is prefixed to pay itt, untill you render your answere of your proceedings; money is very acceptable when itt comes; I informed them that I hoped most parte (if not all) would (though with some clamour of people upon you & your office onlie) bee paid within this fortnight, but there must bee expected a convenient time for the retorne, and more then ordinarie, if the people's payment proved accordinge to the best expectation; Noe sheriffes must be as yet pricked, none have as yett brought in their moneys but Lincolnshire, who paid 7000 in parte, to worke his ends about the furtherance of some project hee hath concerninge the ffenns, the letter craves a particular how evrie hundreth was assessed, but I accompte it not amisse if you certifie the grosse some levied craveinge direction for the time of payment, that you may accordingelye prepare the same by retorne, y^e Cheshire petitioners were answered that what was imposed uppon them was done consideratelie & uppon mature deliberation.

The Palsgrave with the Langrave of Hessen comeinge to land uppon our Coaste, the Reare admirall Captaine Pennington, offeringe to honor him with a vollye of shott, the Gunner beinge carelesse in the levelling of a peece, shott the Shippe wherein the Palsgrave was, and killed Twoe of his men & wounded others, for which the Gunner should have beene hanged (had not the Prince gott him pardon imputinge itt to bee his acte of carelesnes and not of intent), hee is entertained with greate solemnitie, and the reporte is, hee is to treate of a marriage with Sweden's daughter and heire, and the Kinge of Poland to marrie his Sister. For what you shall require more then I have answered I shall use of my best care & dilligence. Soe in hast leavinge the premisses to your consideration, I take leave and rest,

Your worths to comand

ROG. ROGERSON.

Staple Inne xxvj^o die

November 1635 in hast.

To the right worth humfrey Cheetam Esq^r high Sheriffe of the County

Pallatyne of Lancaster att Clayton theis present.

Copy of a letter from Mr. Chetham to the Judges, at Lancaster, requesting their assistance and advice respecting the payments, &c.

After the remembrance of my duetye & respects unto your Lordships. May itt please you that whereas I received his Maties writte for the makeinge of a Shippe of warre att the Sole charge of this County, to bee furnished with all neecessaries fitt for his Maties Service menconed in the writt, with other directions for the levieing of three thousand and ffive hundred pounds, in excuse of that reale performance required; in regard itt was conceived this County could not build a Shippe of that burden, & furnish itt with all materialls; In pursuance of which I taxed the Some, and in regard of the words of the writte importinge an addition of necessarie expences, I have made soe farre bould as to appoint

this Bearer to acquaint your Lorpps, I being informed by the former experience of the first some, which was paid in my time, as well as the last, that the Kinge would give mee noe allowance out of the Some appointed to be paid, I presumed & was informed by others who followed the like course that the Countrey must pay my charges in an overplus; or I to beare itt myselfe, I thereupon taxed an overplus for that purpose, with this Caution, to avoid danger, to present the whole proceedings to the Lords of the Counsell touchinge this overplus assessed, to crave their directions whether I should have my allowance out of the Some of 3500, & restore the overplus, or out of the overplus, or beare itt myselfe, which last they concluded upon. for which purpose I have received directions, with which I have alsoe entreated this bearer to acquaint your Lord^{ps} and the accompt in which I allowed & paid the high Constables for their pains, beinge great, in case I should have allowance for my paines;—but sith I am directed to restore, I am also enjoyned to call on them for restitution, in respect both I & they must in performance of our places beare the charge, wherefore my humble request unto your Lordships is that you would bee pleased to pleasure mee Soe farre, as to give them some touch or directions to restore the allowances. All which I Submissively referre to your Lordships grave consideration, and Soe humbly take leave, and as in duetye obliged shall ever faithfullie remayne

Att your Lorpps comand

Claiton the first

HUMFREY CHEETHAM.

April 1636.

To the honor^{ble} S^r George Vernon Knight & S^r Robt Barkley knight, his Mats Judges of Assizes for the County pallatyne of Lancaster att Lancaster These present

A Letter from the Lords of the Council enquiring how he had taxed the Clergy for the Ship Money, dated 25th Jan., 1635.

After or hearty comendacons whereas this Board when the Writts concerning Shipping first went out (and since as occasion was offered) was very carefull to recomend (so farre as y^e present necessity of y^e service would pmitt) that the Cleargie in their Taxacions & Assessments for Shipping, might receive all due respect both to their psons & calling. Now to the end this Board may be satisfied how these direcions have been observed since, wee have thought good hereby to pray & require you to examine & make certificate unto us with convenient expedicion, what y^e Cleargie hath been assessed at within your County, for y^e Shipping money charged this last yeare. And so wee bid you heartily farewell, from Whitehall y^e 25th of January 1635

Yr loving freinds

W. CANT.

THO COVENTRYE C.S.

H. MANCHESTER

THEO. SUFFOLKE

DORSET

J. BRIDGEWATER

E. NEWBURGH

J. WILMOT

FRAN. WINDEBANKE

WILL. BECKER

H. Sher: of Lancaster.

To our lovinge friende the High Sherriffe of the County of Lancaster for the last yeare.

Letter from Mr. Cletham in reply.

Right Hon^{ble}

Your Lordshipp's letter from Whitehall, bearing date the 25th of January I received the 13th of februarie, requiring mee to examine & make certificate how those directions which were given in charge by your Lordshipp's letter, concerninge the taxinge & assessinge of the Clergie within the Countie of Lancaster have been observed; Upon receipt of which letter and by virtue thereof, I forthwith by speciall messengers directed & dispersed severall letters to all the Maiors & Magistrates of the Corporate & Burrow Townes, & likewise to all the high Constables of the severall hundreds of the Countie, requiring an account of the premises, but as yet (if it maie please your good Lordships) no answere of my letters are returned, nor can the bee expected yet this 10 daies, by reason that I dwell 60 or 70 myles from some parts of the Countie. The high constables likewise would require some competent tyme after the receipt of my letters, to send forth their precepts unto all the Subconstables within their severall divisions, & other assistants in the Assessment, the better to inable them to make theire Certificate unto me, which when the come, I shall expedite to your Lordships as speedily as is possible, in the meantime, lest your Lordships should thinke mee negligent or remisse in the Service, I thought it my dutie to certifie of my proceedings therein, humbly craving your Lordships favor & patience untill I can by my best endeavors accomplish the Same

Your Lordships in all dutie

& Service to bee comanded

Clayton this 8th march 1635

HUMFREY CHEETHAM.

A Letter respecting the proportion of taxation imposed on the Hundreds and Towns, and also on the Clergy.

Right Hon^{ble}

Whereas I received your Lordships letter, requiring a certificate or Accompt how the Clergie hath beene assessed or taxed throughout the Countie of Lancaster, for & towards the Ship money, viz. 3500, imposed the last yeare on the whole Countie, with the corporate & burrough townes thereof; And whereas Since the receipt of the said letter, I likewise received another letter frem one M^r Nicholas directed unto mee, (I doubt not) by your Lordships order & appointment, requiring to be informed how the Said Summe of 3500 was divided & charged upon the Severall hundreds and the Corporate & burrough Townes of the said Countie;

In answere whereunto,

Maie it please your good Lordships, that I made the taxacion according to an auncient Rule whereby all Leyes & Taxes have beene hearetofore assessed & gathered, approved on under the hands of the Leiftenants, Justices, & other head officers within this Countie, & since observed by them upon all occasions of the like nature within the said countie, and with the Cuntree likewise, in respect of the hundreds being familiarly acquainted with, do thinke most equall for anie thing I can discover. And as concerninge the Corporate & Burrough Townes, they at our first convention of all the Maiors Magistrates & head officers of the Same, were assessed by a mutuall consent & agreement, such as was then thought most equall & indifferent, The Clergie likewise, as I gave special charge in all my precepts to the high Constables & other officers, that in there assessments they should have all due respect to their persons & callings, so I do believe they have verie frendly & favorably delt with them. All which Taxation of the Clergie, so soon as I could receive information thereof from the remote parts of the

Countie, I have hereunder reduced into a forme, with the Assessment of the Hundreds, the Corporate & the burrough Townes, which I humbly present to your Lordships as a conclusion of the Service.

THE HUNDREDS OF THE COUNTIE.

West Darbie Hundred, except- ing the burroughes of Wig- gan, Liverpoole, & Newton, in that Hundred	757	10	00	whereof the Clergie paid.....	23	19	02ob
Salford Hundred.....	490	00	00		12	08	06
Leyland Hundred.....	315	00	00		03	11	00
Blackburne Hundred excepting Cliderowe.....	622	10	00		00	18	06
Amoundernes Hundred except- ing Preston.....	625	00	00		01	08	04
Loynsdall Hundred excepting Lancaster.....	530	00	00		07	08	06

THE BURROUGHS.

Lancaster Towne.....	030	00	00		02	00	00
Preston in Amond ^s	040	00	00		00	08	00
Wiggan.....	050	00	00		05	00	00
Liverpoole.....	025	00	00		00	00	00
Cliderow.....	007	10	00		00	00	00
Newton.....	007	10	00		00	00	00
Suma totlis	3500	00	00	of which sum the Clergie paid in toto	57	02	

Your Lordships in all dutie

& Service to bee comanded

HUMF: CHEETHAM.

Clayton this 12th March
1635

A Letter from the Secretary of the Council.

Sir

Upon search amongst my papers I find that you did not send to mee (as by order from the Lords I did by my letter formerly desire you) a note how the whole money required for settinge forth a Shipp by the County of Lancaster, was assessed by you, and being now by command to make up an Accompt of moneys raised in that County for that Service, I must entreate you to bee pleased to send to mee with all convenient speed a perfect note how much every hundred and Corporate Towne in that County was particularly assessed and paid for the said Service; and I shall bee ready to serve you here in any thinge in the power of

Yr affectionate freind

& humble Servant

Mr. Cheetam

EDW. NICHOLAS

To my much honored freind Mr. Cheetham late highe Sheriff
of y^e County of Lancaster these

Reply from Mr. Chetham to the Secretary Nicholas.

Mr Nicholas

According to your request & letter grounded upon the directions of the Lords of his Maties most honorable Privie Counsell, I have hereunder subscribed a note or particular accompt* how & in what manner the whole Summe of Three thousand & five hundred poundes required for setting forth a Ship of Warr by the Countie of Lancaster, in the tyme of my Shreivealtie, was by me assessed upon the Severall hundreds & corporate Townes within the Said Countie, in such manner as former leyes & Taxes have beene heretofore most usually gathered, and according to such rules as have beene formerlie accompted most equall & so approved of under their hands, & since observed by the Leiftenants, Justices & other head officers within this County, which Course the Countree in respect of all particular hundreds being experienced themselves in the rules thereof, accompted equall, for any thing I can discerne. All which I thought fitting, in discharge of the Service required, to certifie, presuming you will, though unacquainted, in respect of my forwardnes in his Maties Service, if further bee required, to excuse for the present, & give mee notice, but I presume this perfect accompt will suffice & content the honourable board, and for that & your former interchangeable respects to my Agents employed for the Service I shall bee

Manchester viij^o die
Marcij 1635.

Your Loving freind
HUMFREY CHEETHAM.

A true and perfect Accompt of 96^{lb} levied of the Countie of Lancaster for bearing of the Charges in execucion of His Maties writt for the collecting of 3500^{lb} within that Countie.

Laid out for charges

Imp ^o . Att the first Convention of the Maiors Burgesses & Bayliffs of the Corporate & Burrough townes for the assessing of the townes.....	01	08	10
For severall warrants sent out at severall times to the high Constables of the Hundreds of the Countie both for making these Assessments & for collecting the money assessed	01	13	00
To John Lightborne for carriage of severall warrants & severall Copies of Letters to divers parts of the Countie	01	19	02
At Severall tymes in meteing the High Constables of the hundreds to heare there Complaints & to remove Such impediments as hindred the Collecting of the money	01	15	00
Spent by the charge of 16 men & 20 horse in our journey to Preston one weeke, for receiving & bringing home of 2000 & odd poundes reced of foure of the hundreds of the Countie, & in payment thereof to the Exchangers	23	18	10
To the high Constables for such charges as they disbursed out of purse in collecting & carriage.....	15	03	10
For abatements to poore people that had not wherewithall to paie & other nonsclavants whose goods wee could not find nor the parties themselves & other small losses in receiving the money.....	03	15	00
For charges in payment of the 3500 ^{lb} to S ^r William Russell, Treasurer of his Maties Navie the Summe of	00	09	06
Sum ^a	50	03	2
Restinge...	45	16	10
	96	0	0

* An Account similar to what is given at page 272 was inclosed.

Instructions to a Messenger going to London on these matters.

In execution of the first writt I spent ^{1b} 22 & moved for allowance but could gett none.

About conveyance of *witches* to Lancaster from Manchester spent ^{1b} 8 ⁴ 7 but could gett no allowance.

My owne paines in travell, my officers & all my Servants in & about the execution of the last writt I make no demand for allowance.

I am confident no Cuntrey in England hath done the like Service with so small Allowance as I demand.

If I must returne the overplus which is remaining in my hands of the ^{1b} 96 back againe, gett mee directions how I must pay it.

Know of my Cosen George his proceedings with my Lord Newbrough before you speake to my Lo:

An order of the Council for the Sheriff of Lancashire to account before the Auditor of the Exchequer.

At the Starre Chamber the 10th of November 1637.

Whereas there lately were made severall orders in his Mats Court of Exchequer at Westminster that the Sheriffe of the County Palatine of Lancaster should accompt there by way of a forraigne accompt, whereuppon the Sheriffe and others of the Gentry of that County did petition his Maty for the reasons in the said petition contained to bee discharged of that manner of accompt. And humbly prayeth his Maty to referre the examination of the premises unto some of the Lords of his honorable Privie Counsell that thereby such course might be settled by them as should tend most for his Maty's service & the preservation of the immunities priveleges and jurisdictions of the Said County palatine, According to which his Maty made a reference to the Lo: Archb: of Canterbury his Grace, the Lord Keeper of the greate Seale of England, y^e Lord high Treasurer of England, the Lord Cottington, Master of his Mats Court of Wards & Liveries & Chancellor of his Mats said Court of Exchequer, and to the Lord Newbrough Chancellor of his Mats Dutchy of Lancaster who recommended the petition to the said Lord Cottington to informe himselfe concerninge the Same from some of the officers of the Exchequer uppon whose report their Lordships would give such further order therein as should bee meete. Whereuppon Sir Peter Osburne Kn^t the Lord Treasurer's Remembrancer being by the said Lord Cottington required to informe his Lordship of the true state of the cause, made his certificate to his Lordship, Now this day upon his Mats attorney generall & divers of y^e officers & Clerks of the Same Court of Exchequer upon the one parte and Mr. Gardiner, Recorder of the Citty of London & divers others of Counsell with the petitioners on the other parte, And upon readinge of an order made 27^o die November Anno Dom. 1635, by divers of the said Lords of the Counsell touching the Bpp of Durham and his Sheriffe there accompting in the said Court of Exchequer in regard there was not made appeare unto there Lordships any materiall inconvenience why the Said Sheriffe of the County palatine ought not as well make a ministeriall acco: as the Sheriffe of the County Palatine of Chester and of Durham doe at this day, but on the contrary parte it might prove exceeding chargeable and troublesome to y^e Sheriffe and of little use to his Maty if the Sheriffe of the said County Palatine should bee drawn to a new way of Accompting by a forraigne accompt.

It is therefore thought fitte and Soe ordered by y^e said Lords referrees that the Sheriffe of the County palatine of Lancaster shall from thenceforth passe their Accompts in like manner as the Sheriffe of Chester and Durham doe, And to the end that the said Accompt may bee carryed with most advantage to his Maty, It is thought fitte that his Maties Auditor of the Exchequer revenue in the Said County palatine of Lancaster, shall take the accompt of the Sheriffe of the Said County palatine, for all things by him accomptable in the said Court of Exchequer, to which Auditor there shall from time to time bee

delivered such schedules and instructions for the better makeinge of the said accompt as shall bee needful. And the said Auditor is to have a booke of Seisures for conveying all Seisures to bee made by the Sheriffe of that County every yeare into the Accompt as anciently Chester had, and such authority by Comission or otherwise to take y^e oath of the Sheriffe and to doe all other acts requisite for a ministeriall accompt as the said Courte of Exchequer shall from time to time thinke meete. And the said Sheriffes or their undersheriffes shall pay such fees as are due for passing a ministeriall accompt, and as Chester anciently hath done. And in such manner as the Sheriffe of the County palatine of Durham or his deputy was lately ordered to doe in like cases: And in case it shall by experience bee found that by default of the Sheriffe or any of them there shall grow any inconvenience to his Mats Service, their Lordships upon notice thereof will take order to redresse the Same. And it is declared that it is not hereby intended to alter the Course of accompting by the said Sheriffe in the Dutchy Court for any thing which ought to bee accompted in right of the Dutchy.

Present

Lo: Ar: Bp of CANT

Lo: KEEPER

Lo: TREASURER

LORD COTTINGTON

LORD NEWBURGH

Vera Copia ordinis predict.

ex^d p. FRA: PHELIPS Audit.

Letter from the Auditor of the Exchequer.

Whereas by an order made by the Lords of the Councell dated the xth of November 1637, the Sheriffs of the Countie palatine of Lancaster were discharged from the making of any forraigne account in the Exchequer, And were ordered and enjoyned to passe their accompts in like manner & forme as the Sheriffes of Chester & Durham doe. And that the Auditor of the Exchequer revenue in the said Countie palatine of Lancaster should take the Accompt of the said Sheriffs for all thinges by them accomptable in the Said Court, as by the Said Warrant more at large appeareth. These are therefore to give notice unto you Humfrey Cheetham Esq^r late Sheriffe of the Said Countie of Lancaster for the year ended at Michaelmas in the eleventh yeare of his highnes reigne. That if you together with your late undersheriffe doe not forthwith make your Accompts before mee his Mats Auditor of the Exchequer revenue within the Said Countie according to the said order you are to endure the ordinarie Course & proceeding of the Exchequer to compell you thereto according to an order in the Exchequer in that behalfe made the xxijth of November in the xiiijth yeare of his Maties reigne. And hereof you are not to faile as you will answere the contrarie hereof at your further perill.

Written from London this xxth of March 1639

Yr loving freind

FRA: PHELIPS Audit:

To the worth Humfrey Cheetham Esq^r
late highe Sheriffe of the Countie
of Lancaster these dd.

Reply to the foregoing from Mr. Chetham.

Sir

My best and thankful respects for your good caution remembred &c.—At Michmas tearme last when your Agent M^r Bateman was in the Countrie I could not attend him att Manchester by reason of sicknes, and it was by him then thought fit and advysed (as I am informed) that M^r Standish, my immediate predecessor, myselfe, & M^r Ffarrington, my next Successor in the office, should join in a Commission for takeinge of our oathes to accompt accordinge to the order mencioned in your letter in Hill^y tearme last past att which time my under Sheriffe Sollicited M^r Abbott for M^r Ffarrington and one M^r Gerrard for M^r Standish to joyne with mee for the takinge out of the said Commission, and acquainted M^r Bateman therewith, butt itt seemes M^r Abbott nor th'other for M^r Standish did att all joyne, itt was then intended M^r Greenfeild should bee of the Quorum for your better satisfaction, if you thinke fitt, I will bee at y^e sole charge of a Commission for my selfe though itt is conceived better wee should joyne, because M^r Standish should accompt before mee, and M^r Ffarrington Should next followe mee, Soe that one should not suffer nor bee charged for the Acts of another. What direcion you shall give I will observe though the others neglect, for I doe much desire to perfect my accompts with all possible speed, and to procure my Quietus est. Nothing beinge in my hands nor in my Undersheriffe's hands unaccounted for that I know of; And for that purpose I have frequently called upon my Undersheriffe who tells me that he hath begun already and laid out some fees in your office for the doinge thereof. If you shall thinke fitt that these thinges may stay without prejudice to myselfe till next tearme, I should much desire itt that Soe I might know whether M^r Standish & M^r Ffarrington will joyne, at which time I will appoynt one to know your further desire; If in the meane time you shall advise me to goe one, I pray you give way to a Commission for the taking of my othe & my Undersheriffs this tearme, and this bearer will disburse what is requisite. Good Sir, let me crave your favor & answer, & what you direct I shall most willingly observe, & in the meane time rest

Y^r very lovinge frend

HUMFREY CHEETHAM

To the wor^{ll} Ffrancis Phillipps Esq^r one of the Auditors
of his Matys Exchequer at Westminster at his house
in Leaden Hall Street London—theise dd.

A P P E N D I X.

APPENDIX, No. 3, CONTAINING LETTERS AND PAPERS RELATING TO THE SUBSIDIES.

Mr. Chetham's appointment of High Collector for the first Subsidies by His Majesty's Comissioners.

Leyland Hundred

Wee whose names bee subscribed three of his Mats Comissioners appoynted for the raitinge taxinge & Assessinge of the two latter of the flour Subsidies within this County of Lancaster, granted by Acte of Parliament to his Maty in the xvjth year of his hignes raigne, and by the said Acte authorized to constitute make and appoint Highe Collectors, Sub-Collectors, Assessors, and what other officers wee conceive expedient for the present Assessinge, Collectinge, levyinge and payinge in of the Said Subsidie monies accordinge to the terms of the Said Act, Have by these presents nominated and appoynted Humphrey Cheetham Esq^r of Turton, High Collector of all & everie the Somes of monie raised assessed and taxed by & before us at Chorley the xxixth day of Aprill last past, upon the inhabitants within the Said Hundred of Leyland, givinge & hereby grantinge unto the Said Humphrey Cheetham full power & authoritie hereby to collect levy & gather the Same accordinge to an Indented Extract under our hands & seals herewithall delivered unto him, And to distresse for defaulte of payment, upon whom or wheresoever he shall find cawse, & to see the distresse rendringe to the partie delinquent the overplus that shall remaine upon the Saile thereof, after his taxacion or assessment taken out, provided that the distress or distresses bee kepte eight dayes according to the Statute before they bee apprysed & Sold. And likewise to directe his preceptes unto all & everie the Assessors and Constables of everie particular Townshippe & parish within the Said Hundred, Commandinge them to collecte levy & gather the Same, & to pay it unto him at what day tyme & place hee shall appoynt, see that the day of payment bee beefore the last of May next. and the place of meetinge within the Said Hundred.

Dated at Chorley this 29th of April, 1641.

GILB. HOGHTON
WILLIAM FARINGTON
ALEXANDER RIGBY

Letter to the Commissioners for rating the second Subsidy.

Gentlemen

After our hartly good respects remembred unto you, we give you to understand that we have received your Letter, & have informed ourselves that ward's lands and estates are rateable and ought to be responsible to the Susidies now granted by Parliament, according to the provision of the Acte made in that behalfe, whereof we thought good to certifie you; and alsoe wee will endeavor to take course for

the Stay of processe against Mr. Cheetham the high Collector, accordinge to your desire; Not doubtinge but that you will assist him in the premises; That Soe the accounts may be perfected in Easter Terme next; And Soe wee bid you hartily ffarewell and rest

Your assured loveinge ffrends

ffrom our lodginge in

RAPHE ASSHETON

London 14 february 1641

ROGER KIRKBYE.

To our lovinge ffrends the Comissioners for the ratinge taxeinge and assessinge of the seaconde two Subsidies within the Hundreds of Salford Leyland & West Derby, in the County of Lancaster, or to any of them—theise

Warrant from the Lord Chief Baron ordering process to be stayed against Mr. Chetham.

Whereas Humfrey Cheetham Esq^r is nominated highe Collector of the Two last Subsidies of the fowre entire Subsidies granted by parliament in the Seaventeenth yeare of his Maties raigne, in the Hundreds of Leyland Salford & West Derby in the County of Lancaster, for which sayd Subsidies the Said Collector hath payd the Sume of one thousand and foure score pounds, beinge neare the Totall Sume charged upon him, Now for asmuch as within the Severall Hundreds there are severall Lands belonginge to severall Wards, who are within age, which Lands are lyable and ought to pay Subsidies, but by the mistakeinge of the Comissioners for the Taxinge of the Sayd Subsidies the said Lands were omitted out of the said Collectors charge, which now by direction is thought fitt to be amended, and the Subside rolls with the Amendment thereof, to bee returned the beginninge of the next terme; Therefore Lett processe bee stayed in the meantyme against the Said Humfrey Chetham touchinge his accomptt for the Sayd Collection of the said Subsidies, and this bee a warrant to His Maties Remembrances for doeing thereof Accordingly.

HUMPHREY DAVENPORT.

Letter from Sir Ralph Assheton of Middleton relating to this business.

S^r

I have beene twice required by letter from a Member of the p.lem^t to certyfye what moneyes have beene payd of the Subsydies granted by this plem^t out of this County, wherefore you beinge a Collector, I doe hereby praye you to certyfye what moneyes you have collected & payed, & to whom you did paye, & of what Hundreds you were Collector, & hereunto I desyre your answeare speedily, restinge

Y^r very loveinge ffrend

Middleton 8 Ap^l 1642

RAPHE ASSHETON.

To his very good ffrend Humfrey Cheetham esq^r
at Turton these hast

Reply of Mr. Chetham to the foregoing.

Much honored Sir

Youe shall understand that when I was chosen Colector ffor the 2 latter of the 4 ffirst Subcities granted out of this present parliament & had received my charge from the Comissioners, I presentlie

pursude the execucione thereof with as much speede as conveniently I could, and with as good sucseesse as might bee expected in soe uneven & uncoth a Servis, which when I had attayned the end thereof & brought yt as I thought to perfectione, I made upp my accompts with money & such certificats as I was appoynted to take by the divers Comissioners, which did ballance the charge or Some I was to colect within my presincts, and Sent it fforthwith to be paid to the Receiver, as I was directed; but the Receaver retorned the Certificats as insufficient, & Said they weare not punctuall accordinge to the Statute, and withall tould the Agent that I imployde in this beehalfe that His Maties Wards must lyke-wise paye, which weare quite out of my charge rec^d from the Comissioners, or obligation to his Matie; whereuppon further direction, as I am tould, is come to the Comissioners for charging of the Wards, and I loke for warrants from them dely to colect yt. Whereby you may perceve yt my hard ffortune without any neclecte one my parte, but going one with all expedicion in the same wey with my predecessor, to ffind such rubbs, wherein hee soe smothlie attayned his owne desires, & noe accompte required ffrom him touchinge the Wards; but his bonds redelivered and acquittans, as I am informed, given him for conclusion of the Servis, & although hee had the advantage of 6 or 8 weeks tyme beefore I was Colector, for Colection of the 2 first Subcities, yett I beeleave my money came to the Receavers hands as soone as his;—Thus much, although more than purtenant to your desire, I thought nott amiss ffor cleareing of my own Integritie.

I have hereinclosed sent you 2 transcripts of the Acquittances for payment, which were given mee when I paid my money, which I thought would bee most satisfactory to your expectation.

I thinke my money was paid as soon as M^r Kersley's & my Sertificats as legall

H. CHEETAM.

The Accompts of Humfrey Chetham of Turton, “given in the twelfth day of October Anno Regis Caroli nunc Angliæ, &c., vicessimo secundo, Annoq Dni 1646.”

Whereas I was by his Maties Comissioners of the Countie of Lancaster nominated and appointed Collector for Twoe later of the fflower Subsidies graunted to his Matie in the Sixeteenth yeare of his Highnes Raigne, by Acte of Parliament then made & houlden at Westminster, for the Some of 1192 12 3^{lb} charged upon West darbie Hundred, Salford hundred and Leyland hundred, And was appointed payment thereof att or in the Chamberlaines office within Guildhall in the Cittie of London to Isaack Pennington Alderman, and Robert Bateman, Chamberlaine, Treasurers or Receivers appointed for that purpose; These few lines shall or doe testife, That I have paid unto the Said office accordinge to my charge and appointment unto the aforesaid Treasurer, or Receaver the Sume of 1177 14 3^{lb}, which with my allowance of 3^d pr pound, by act of Parliament, beinge 14 18 0^{lb}, makes up the aforesaid Sume of 1192 12 3^{lb}, of which said Sume I am discharged as may appeare by my Quietus est, shewed forth to M^r Lighborne, M^r Hartley, M^r Worsley, & other Comittees appointed to take this, and Such other Accompts in the behalfe of the parliament.

Jurat. xv^o die Octobris coram nobis

In witness whereof I have hereunto
subscribed my name
HUMFREY CHETHAM.

JO. LIGHBOWNE
JOHN HARTLEY
RAPHE WORSLEY.

Hæc Copia examinat. p. me GEORGIUM CHETHAM
Anno Domini 1646

Certificate of the Conformity of Alexander Rigby, Gentleman, of Ditton, against the Levy.

To all or every of them the Comissionars appointed for the Sessinge and reseavinge of the Subside for Receusancie, these present.

ffarnworth the 27 daye of June Annoq. Dni 1641.

These are to certifie unto your worppps That Alexandar Rigby of Ditton gent. was at our chapell of ffarnworth the seven and twentieth daye of this instant June, And theire hard Divine Sarvice and Sarmond, And reseaved the Holey Comunion: And formerley hath reseaued the Comunion meny and Sinderey times, And without all question hee will still performe, for wee and divers of our pissioners have knowne the said Alexander Rigby to bee a good Churchman this 40 years, but never did knowe him to bee anie way given to refuse the Church; nor the resavinge of the holey communion, which maketh us the more boulder to sertifie unto your Worppps the truthe, in the behalfe of the aforesaid Alexandar Rigby.

The Premises duley considered, wee committ your worppps to the protection of the Allmightie, And will ever rest.

Your Worppps Servants in all dutifulnes

WILL. WOODS

THOMAS HEARNE

JOHN WRIGHT

GEORGE NODDY

} Churchwardens of the
} Chapelley of ffarnothe

ALB. BARNET, Curat.

HAREY APELTON, Clarke

EDWARD BAROWE, Sexton

A P P E N D I X .

APPENDIX, No. 4.

CONTAINING PAPERS AND DOCUMENTS RELATING TO THE APPOINTMENT OF
TREASURER FOR THE COUNTY.

Copy of an Order of Parliament to the Deputy Lieutenants appointing Mr. Chetham Treasurer of the County.

September 6^{to} 1643

Ordered by the Lords and Comons assembled in Parliament That the deputie Leivetenants and Comittees of Parliament in the Severall Counties of Lancaster and Chester shall make choise of an able person in eache Countie to be an Auditor, who shall take perfect Accompts of such moneys and other goods and profitts as have beene taken or seized by virtue of any order or ordinance of either or both Houses of Parliament, or any other power derived from Parliament, that soe there maie be a perfect Accompt given to this Housse when it shall be called for, And for that end the said Auditors shall have power to send for parties, wittnesses, and wrestinges, And it is further ordered that the Said Deputy Leivetenants and Comittees of Parliament in each of the said Counties shall likewise make choise of one able and sufficient person to be a Treasurer unto whom all moneys collected for the maintenance of the souldiers in the Said severall Counties shall bee paid, who is to issue the Same upon warrant from seaven or more deputie Leivetenants, resident in either Countie, which warrants shall not bee paid by any respective Treasurer untill the said warrant be first entered with one of the Auditors, and attested under his hande. And it is further ordered that they said Deputie Leivetenants shall have a speciall care that all the Souldiers be indifferently paid as well for their arreres as for the time to come.

H. ELSINGE Cler. Parl. D. Com.

At a generall meetinge of the Deputie Leivetenants and Comittie for the Countie of Lancaster at Manchester the last day of October 1643

Resolved upon the Question, That a generall Treasurer for the Countie of Lancaster shall be forthwith nominated accordinge to an ordinance of Parliament of the 6th of September 1643

Resolved upon the Question That M^r Humfrey Chetham shalbe this Treasurer: And it is further Ordered that if he refuse, they shal certifie the Howse thereof, and desire their Resolution therein—

Copy of a Precept for levying Monies in the County.—19 January, 1643.

Whereas the Army of the Enemy are very potent, cruel, and violent, and even ready to assaulte & devoure us & our neighbourhood (without makinge any distinction of persons) unlesse by God's

assistance & our timely endeavour therebe some speedie prevention, which cannot be done by any ordinarie meanes, without the raysinge & maintaing of extraordinary forces, which in these tymes of eminent danger, we are enforced to doe, therefore for the support & maintenance of the Same forces in some reasonable & proportionable manner, It is ordered as followeth, first that an assessment of five hundred pounds by the weeke beinge proportionable to the Sume mencioned in an ordinance of Parliament, be made & levied in the County of Lancaster, towards the charge thereof in an equall and proportionable way, accordinge to the usuall & accustomed manner; And that the moneys soe levied be from tyme to time collected, and paid monthly unto Humfrey Chetham of Turton Esquire, appointed Treasurer for that purpose, which Treasurer is to pay the Same over immediately to the Treasurer of the Army, so as a just accompte thereof may be rendered when it shall be required. And that the first monthe's pay shall begin on the first day of february next, and Soe from thence to continue weekly to be paid monthly as aforesaid. Also it is ordered that the Estates Reall & personall of Papists & delinquents in this County accordinge to the severall ordinances of Parliament shalbee duely sequestered, & employed for the purpose aforesayd, And that other Sumes of money shalbee likewise forthwith rayased & advanced for the Same purpose upon the publike faith, propositions of Parliament, or otherwise, Accordinge to the Ordinance of Parliament in Such cases provided as shalbee thought fitt & that the Said Sumes shalbee paid likewise to the Said Treasurer as aforesaid and that the Troopes of Horse shalbee from tyme to tyme Recruited, As occasion shall require. Dated this 19th of January 1643

THO: FAIRFAX

TH. STANLEY

RAPHE ASSHETON

RICHARD HOLLAND

ROBT HYDE

The Precept appointing Collectors.

Fforasmuche as the Potency and crueltie in our neighbouringe County is watchinge their occasion to destroy us if speedie course (by God's blessing) be not taken for prevention thereof, a considerable bodie of Horse and ffoote is now alreadie rayased and gathered together by order of Parliament and His Excellencie the Earle of Essex, which greate bodie cannot be mayntayned without supply of money. And whereas towards this charge by the right Honble Sir Thomas Ffairfax generall of theise northerne partes, and the Committe of Manchester it is ordered that the Sume of 500^{lb} by the weeke to be monthly paide shalbe assessed, and levied upon this County agreeable to an Ordinance of Parliament heretofore made in like cause, which hath not been levied upon this County: These are therefore to comand you that with the assistance of ffour honest men within your office imediately upon Sighte hereof you assess collect & levie the Sume of 4^{lb} 18^s 2^d, being your proportionall rate for your towne of the Sume aforesaid, which you are hereby comanded to paye unto Humfrey Chetham of Turton Esquire, appointed Treasurer for receiving thereof, upon the first day of februarie next, And see that you certifie the names of all Such persons as shall refuse or neglecte to pay the Said Sumes soe assessed upon them soe that the may be pceeded againste as persons ill affected to the Kinge and Parliament. And hereof faile you not at your extreame perill. Given under our handes the xxiiijth day of Januarye 1643.

RIC. SHUTTLEWORTH

JOHN STARKIE.

To the officer of }
 Bolland these }

Order from Colonel Moore, directing the levy of Monies in West Derby.

Liverpool

By virtue of the Warrant hereunto annexed under the handes of the Hon^{ble} Sir Tho. Ffairfax and other of the Comitie, and deputie Lievetenants of this County for the speedie raisinge of moneyes, for the supply of the Army now imployed for the defence of the Protestant Religion, and the Safety of the Kinge Parliament and Kingedome, these are to will and require you imediately upon receipte hereof to cause the Sume of one hundred and twentie pounds a weeke, to be proportionably assessed & collected in the Severall townships within this Hundred of Westderbie, And the Said Sumes respectively soe assessed and collected as aforesaid to cause the Same to be payed over unto the Receiver Generall, accordinge to the tenor of the Said Warrant, wherein faile you not at your uttermost perill. Dated the xxijth day of January Anno Dni 1643

JOHN MOORE

To M^r Thomas Cobbone one of the Highe
Constables of the Hundred of Westderbie

A Letter from Mr. St. Nicholas ordering the payment of the Money for the use of the General.

S^r

I have received a Warrant from the Generall that what monies you have received of the weekly assessment should be paid into my hands, to be disposed of as himself shall order, I desire therefore you would take care it maye be paid me on Mondaye next at Manchester, & who you shall appoint to paye it shall receive the Warrant, soe rests,

Y^r ffreind & Servant

ffrom my Lodgeinge at M^r Hartley's house
in Manchester, ffebr 17 1643

THO. ST. NICHOLAS

For M^r Humfrey Chetham theise.

A Letter from Colonel Assheton respecting these monies.

M^r Chetham

According to the agreement of the deputy Leivetenants at our generall meetinge the last weeke save one at Manchester, that the present weeklye tax for a month, should bee payd to S^r Thomas fayrfaxe, you are hereby desyred to paye so much moneyes, this daye at Manchester, unto S^r Thomas or whom he shall appoynt here to receive it, as is already come to your hands, and y^t you will cause the names of such in the devysions of Bolton & Midleton as have not payed there pportions of the s^d Taxe to bee certyified unto M^r Bradshawe, who is desyred to take such course with them as maye cause the Same payd, & so rests

Y^r very loving frend

RAPHE ASSHETON

27^o ffebr^{ie} 1643

To his loving freind Humfrey Chetham Esq at Turton
these Hast.

Original Letter from General Sir Thomas Fairfax.

Whereas the deputed Lieutenants of the Countie palatine of Lancaster did formerly undertake, that the Some of two thousand pounds should be paid me out of a weekly assessment of five hundred poundes imposed upon that Countie by a generall consent towards the maintayninge of the fforges for defence of the Same, & the adjacent Counties, parte of which Some of 2000 is yett behind and unpaid. I doe hereby order that the Treasurer for the Said Countie shall immediately upon receipt of the said arreres paye the Same to Colonell John Lambert, or to Such persons as he shall appoint to receive the Same. And I doe hereby authorize the said Colonel John Lambert to receive the said arreres, and to paye the same to the officers & soldiers under his comand. Given under my hand and Seale the three and twentieth daye of March 1643.

THO: FAIRFAX.

To Humfrey Chetham Esq^re Treasurer ffor the Countie
palatine of Lancaster these present d d d

Mr. Bradshaw's Letter inclosing Sir Thos. Fairfax's order to Mr. Chetham.

S^r

I have receaved this inclosed Order late yesternight from Coll. Ashton, who desires your uttermost endeavor for the colectinge the money, and to pay it onto me whom he hath desired to dispose of it as hee hath appoynted. So I rest

Y^r lov. frend

J. BRADSHAW.

May ye 2^d 1644

For his kind & lovinge frend Humfrey Chetham
theis—hast.

The Order.

Aprill 22th 1644.M^r Chetham

It is ordered that you pay unto Colonell Ashton the money in arreare & yet unreceived by me which was designed in Lancashire to be raysted for pay of the Horse under my Comand notwithstanding any former order to the Contrarie heretofore.

THO: FAIRFAX.

To Humphrey Chetham Esq^r

Letter from Colonel Assheton to Mr. Chetham, calling for the immediate payment of the Monies for his own Regiment, dated Water-fonford 10 May 1644.

S^r

I have formerly sent you an order from S^r Thomas Fairfax that notwithstanding anie former order to you by him given, you should pay over the moneys to be collected in our Countie, (and I hope before this in your hands) unto M^r Bradshaw of Bradshaw for the pay of my Rigiment: I desire you would do it without anie further delay, and the rather in regard of pressing necessitie of my Rigim^t at this p^sent, if it have so hapned, that this order hath not yet come to your hands, I desire you will be satisfied with what is here, under the hand of

Y^r very loving frend

RAPHE ASSHETON.

Water fonford

10^o May 1644

A Notice or Order from Mr. Receiver Pollarde to the High Treasurer.

By vertue of an ordinance of Parliament of the 20th of September 1643, theise are in His Mats name to will & require you to appeare or send unto mee at Whalley Abbey upon Thursday the xiiijth of february next, then and there furnished to pay unto me for the use of His Matie & the comon wealth all such rents, arreres, debts, Some & Somes of monie as you are anie waies chargeable with, as due to His Matie, the Queene, or Prince. faile not hearein as you tender the Service of the Comon wealth and will answere the contrarie. Given under my hand the fifthe day of December 1644.

Y^r loving frend

E. POLLARDE Col.

To Humfrey Chetham Esq theis.

A copy of an Order for levying Money upon the County, during the Siege of Latham, 1645.

Att a generall Meetinge att Manchester, Aprill 23—1645.

It is ordered that for the close beleagueringe of Lathome howse the severall numbers & proportions of Soldiers hereafter expressed within tenn days next cominge shal bee drawne out and speedily sent to Such places as by Colonell Egerton shalbee in that behalfe appoynted out of the Severall hundreds and divisions hereafter expressed, (viz.) out of Salford hundred 700 foote & two troopes of horse, Blackburne hundred 300 foote & two troopes of Horse, Leyland hundred 250 foote & one Troop of Horse. Col. Booth's division of Derby hundred 400 foote and one troop of horse. Amoundernes hundred 400 foot and two troopes of Horse.

And that for the keepinge of the Garison at Liverpoole there shalbee raised, drawne out and sent thither out of Colonell Moor's division of Derby hundred 400 foot and one troope of horse. And that so soone as Greenhalgh Castle shal bee reduced, there shalbee drawne out and sent out of Lonsdale hundred a considerable number of Souldiers both Horse and foot, proportionable to the rest of the hundreds for the better enablinge of the League against Lathome. And it is further ordered that for the payment of the aforesaid force, the Severall Sumes of money hereafter mencioned shalbee taxed, assessed, levyed and collected in the said severall hundreds and divisions monthly, and everie month, duringe the continuance of the Service against Lathome, to begin from munday next, the moneys raised out of each hundred and division to bee for the payment of those particular forces sent out of the same, for which purpose warrants shall be issued forth to the high constables of the Said severall hundreds to direct their precepts to the pettie Constables, and therein to proportion the Said Sumes accordinge to the booke of rates, and to require the usuall Assessors to asseesse the Same in an equall and indifferent manner, and the pettie Constables to collect the Same, and to distreyne the Goods of the Refusers, and to pay over the same before the midle of every moneth unto the Severall & respective persons hereafter named, to bee by them paid over unto the Same forces respectively to whom the Same shall belonge. And in case any petty Constable refuse to distreyne, the high Constables shall distreyne his goods for the Same; which foresaid monthly Taxes, payments or Sumes of money and the receivers thereof in every hundred & Division shalbee as followeth (viz) for

Salford Hundred	1219	11	4	p ^r moneth—Receiver	Capt Mathew Smith & M ^r Richard Taylor
Blackburne Hundred ..	727	14	8	.....	John Bradshaw Esq ^r
Leyland Hundred.....	486	16	4	.....	M ^r George Allanson
Amoundernes Hundred..	850	13	4	.....	M ^r Roger Sudell
Col. Booth's division of Derby Hundred..}	671	05	4	.....	Cap ^t John Sorocold
Col. Moore's division of Derby Hundred..}	671	05	4	.....	Cap ^t Will ^m Williamson

4627 06 4

And it is ordered that so longe as the said monthly Taxations shall continue all private & particular weekly & other payments from Maisters to the Souldiers shall cease and bee discontinued. Provyded that this shall not prejudice any private Agreement betwixt Mrs & Souldiers after the end of this Service.

And it is further ordered that for asmuch as Course is nowe taken & is hoped will be pursued for the payment of the Souldiarie, Therefore if any officers or Souldiers shall hereafter attempt to plunder, robb, pilfer, or violently take from any either victualls, horses, money, Cattell or other thinge whatsoever, it shalbee lawfull for the Countrey where such attempt is made to joyne together, and not onely by force to oppose the Same; but also apprehende and bringe to condigne punishment all Such offenders; And to the end the Countrey may bee better encouraged to defend themselves & their houses & goods from Such outrages, it is ordered that publick notice hereof bee given in all churches and chappells in Derby & Leyland hundreds & other parts of the County. And it is further ordered that if Col. Ashton's Rigiment shall happen to retourne out of Cheshire, and to be dismissed from that Service, That then & from thenceforth the aforesaid 700 foot, appointed to issue out of Salford hundred shalbee made up out of that and Colonell Holland's Regiments by equall numbers (viz) out of either Regimt 350, and shall receive pay accordingly.

And it is further ordered That so longe as the aforesaid taxacions of money shall continue there shall bee no further or other taxacions imposed upon the Said hundreds or divisions above charged for any Military affairs of this County without a generall consent, save onely the taxe of three thowsand pounds, and the first great taxe of victualls, the arreares of both which it is ordered shalbee forthwith brought in from the places were the same are in arrere with all expedicion for the use of the Leaguer before Lathome, (exceptinge the proporcions for Lonsdale hundred & Garstange parish, which are already ordered to be brought in for the use of the Leagurer before Greenhalgh Castle.

And it is further ordered That Col. Egerton shall for this present service, and in the absence of Col. Rigbie, comand the forces to be issued forth of Amoundernes hundred, and shall appoint such person as hee shall thinke fitt for the raisinge of them. And that Major Rigbie with what forces will voluntarily march under his comand shall bee part of the forces appoynted out of that Hundred.

It is ordered that all Such who have formerly enlisted foot or horse under any Comand for the publick service of this County, and as parte of the old Regiments or Troopes usually employed in this Service, or Such who have their estates, shall forthwith send their foot, horses, men & Armes formerly enlisted, to their Colours without delay or excuse. And in case any shall neglect or refuse so to do, The superior officers for the tyme beinge in the Townes & places where such defaults shall bee made shall apprehend the persons or seize or destrayne upon the estates of such as shall make default, whether the M^{rs} & those that enlisted them, or such as enjoy the Estates for which they were enlisted, or the Souldiers themselves that are enlisted, as in their discrecions shalbee thought fitt, for the compellinge of obedience thereunto.

A Solemne fast upon the vith of May (through the County).

Note from Mr. Thomas Chetham to the High Sheriff.

August 17 Anno Dom. 1645.

S^r ffor satisfaction of y^e Soldiers, it is ordered that you pay them according to your former agreement for the time you are behinde with their monthly pay: and you are for the future to abate of your monthly taxacion whatt you pay ye Soldiers.

THOMAS CHETHAM.

Copy of an Ordinance of Parliament for the payment of £3000. out of the Excise, for the forces in Lancashire.

Die Mercurie x^o Julis 1644.

Whereas by the additionall ordinance of Excise a new Impost bearing date the eight day of this instant July, It is ordered that the moitie of one third part of all such moneys as shall be raised upon the said ordinance shall be employed towards the maintenance of the land forces in the service of the Parliament. And whereas the forces in the Service of the Parliament within the County of Lancaster are in great want and distresse in that County, wholly wasted & spoiled by the Enemy. Therefore the Lords & Comons in Parliament assembled doe order and ordain that 3000 out of the said moitie of one third part of the Said ordinance for the maintenance of the said forces shall be paid unto Thomas Stone Thomas Browne James Wainwright & Thomas Markland cittizens of London for the use of the forces within the said County of Lancaster, which said Some of 3000 was formerly granted unto that County upon a Contract with the Comittee of the Safety. And an acquittance under their hands, or any three of them shall be a Sufficient discharge to the Comissioners of Excise for so much money as they shall receive, soe as the Same doe not exceed the said Some of 3000. And the said Thomas Stone Thomas Browne James Wainwright & Thomas Markland shall pay the said Some of 3000, or Soe much thereof as they shall receive unto Humfrey Cheetam esq^r Trear of the Said County of Lancaster, who shall issue the Same by order of the Deputy Lieuts, or any six of them unto such forces of the Said County as shall from henseforth goe on in the service, & noe part of the said Some of 3000 shall be paid for any arrears for time past to aney officer or souldier within the said County.

JON: BROWNE Cler: Parliamentor.

Ex^d

Copy of an Ordinance of Parliament, for the payment of £3000. from the unpaid contributions to St. Paul's Church, for the service of the Troops.

xxviiij^o Septemb^r. 1644.

Whereas the County of Lancaster hath beene of late exceedingly wasted by the Enemy, and during such time as they were Masters of the field the forces of that County had no contribution or release, By meanes whereof they are now in a greate deale of misery and want; And whereas the forces under the comand of Sir Thomas Middleton are likewise in distresse because they are not yett able to settle in North Wales, out of which they are to be maintained. All which being taken into consideration, The Lords and Comons in Parliament assembled, doe order and ordain that all such monies as have beene given to the repaire of Paules, that shall be discovered unto the Comittee of the house of Comons for examination to remaine unpaid, not exceeding the Some of 3000 shall be forthwith paid unto Thomas Stone, Andrew Middleton, John Langley & James Wainwright Cittizens of London for the use of the said forces, and an Acquittance under their hands or any two of them, shall be a full discharge unto all Executors & other persons paying the Same, who are hereby acquitted, & shall be saved harmless from the Receivers of Paules, or any other person or persons for all such Some or Somes of money as they shall pay as aforesaid. And the said Thomas Stone, Andrew Middleton, John Langley, & James Wainwright & every of them shall forthwith pay all such some & Somes of money as they shall receive hy vertue of this Ordinance, the one moity unto Colonell William Barton for the use of Sir Thomas Middleton, for the Service of North Wales, and th'other moitie unto Humphrey Cheetam Esq^r Trear of the said County of Lancaster, who shall issue the Same as all other monies he doth receive for the forces of the Said County, by warrant under the hands of six deputie Lieutenants of the said County, at the least whereof one or more to be a member of the house of Comons, to be equally disposed unto

all souldiers theire now in armes. And it is further ordered and ordayned. That the publique faith of this kingdome shall be ingaged for the repayment at the end of six months after the date of this ordinance unto the said repaire of Paules. And whatsoever any person or persons shall doe in pursuance of this ordinance, they shall be saved harmles by the power & authority of both houses of Parliam^t— Provided always that this ordinance shall not extend to any person or persons whatsoever who have promised to give or pay, or have subscribed the giving or paying of any Some of money so promised or subscribed for; Any thing in this Ordinance to the contrary notwithstanding.

H. ELSYNGE Cler. Parl. D. Com.

Ex^d

Letter from the Deputy Lieutenants for payment of monies on the public account.

Whereas by an ordinance of Parliament dated the tenth day of July last, the Sume of Three thowsand pounds (out of the moytie of one third part of the moneys raised upon an additional ordinance of Excise or new Impost, of the eighth of the Same July) is ordered to bee payed to Thomas Stone, Thomas Browne, James Wainwright & Thomas Markland, Citizens of London, who are to pay the Same or so much thereof as they shall receive, to you, to bee by you issued by order of the Deputy Lievetenants of this Countie, or anie six of them, And whereas by another ordinance dated the xxviiijth of September last, the Sume of Three thowsand pounds (out of the money given for the repaire of Paules) is ordered to bee payed unto Thomas Stone, Andrew Midleton, John Langley & James Wainwright, Citizens of London, who are to pay to you the one Moytie thereof, or of soe much thereof as they shall receive. And that you shall issue the same by warrant under the hands of sixe deputie Lievetenants of this Countie at the least, whereof one or more to bee a member of the howse of Comons. And whereas the Sume of one thousand seaven hundred, ffourtie three pounds, sixe shillings, is due unto M^r. William Sunderland for severall quantities of Ammunition by him Sould unto us for the use of this County of Lancaster; These are therefore to require, authorize & appoint you to give directions in writing under your hands to the aforesaid Receiver or collector of the said money respectively to pay the Said Sume of 1743 6^s, to the said William Sunderland, or such person or persons as hee shall appoint out of the first moneys that shall come to their hands for the use of this County, by and upon the said Severall Ordinances respectively or either of them, and by wryting under your hand to discharge them of soe much money as shall bee payed by them or anie of them, And for soe much money as they or anie of them shall soe pay to or to the use of the Said William Sunderland, this shall be your & their sufficient discharge. Given under our hands this seacond day of November Ano Dni. 1644.

To Humfrey Cheetham } Esq ^r : theise	JO. MELDROM	RICHARD HOLLAND	ROB. HYDE
	T. STANLEY	JOHN HOLCROFT	J. BRADSHAW
	RIC. HOGHTON	JOHN MOORE	T. BOOTH
	RAPHE ASSHETON	ALEX RIGBY	THO. BIRCHE
			PETER EGERTON

Warrant or order for payment of monies due

Gentlemen

According to the order of the deputie Lievetenents of the County of Lancaster to me directed (& a copy whereof for your better satisfaction I have here inclosed sent you) I desire you, and according to the tenor of the sayd order, I doe hereby give you directions to pay to M^r. William Sunderland, or to

Such other person or persons as hee shall appoint, the Sume of one thousand seaven hundred ffourtie three pounds sixe shillings, mencioned in the Sayd order, out of Such moneys as shall first come to your or any of your hands, by vertue of the speciall ordinances of Parliament expressed in the Sayd order, or either of them, And for soe much money as you shall soe pay to or to the use of the Said William Sunderland, this shall bee your and every of your discharge: Given under my hand at Claiton this twenty seacond of November Anno Dni 1644.

I doe attest this to be a true Coppie of
the leter to the Collector

WILLIAM SUNDERLAND.

To Thomas Stone, Thomas Browne,
Andrew Middleton, John Langley,
James Wainwright, Thomas Mark-
land, and to every of them.

Similar Warrants were likewise issued from the said Deputy Lieutenants to the Treasurer, for payment of the following sums of money to the under-mentioned Parties.

1. To M ^r Rob. Massey of Warrington....	for £340	6	7—	{ For Ammunition for the public Service of the County
2. — M ^r W ^m Samyne.....	£125	15	0—	For Ammunition
3. — M ^r Ja ^s Wainwright of London	£709	5	0—	For Ammunition & Arms
4. — M ^r Richard Foxe.....	£200	0	0—	For Losses & Service
5. — Thomas Stanley Esq of Alderley.....	£150	0	0—	For Cheese for the Troops
6. — M ^r Isaac Watlington Master Gunner of Ordnance	£100	0	0—	For Pay & Services
7. — M ^r Henry Cockcroft of Heponstall, Carrier.....	£186	6	10—	{ For carriage of Ammunition to London &c
8. — M ^r James Wainwright of London	£240	0	0—	{ For six score cases of Pistols for recruiting & furnishing the Troops
9. — M ^r Arthur Borrton of Warrington Gent.	£600	0	0—	{ For great losses (on account of his affection to the Cause) by fire and Imprisonment
10. — M ^r Rich ^d Abraham of Warrington Salter	£242	0	0—	For losses by fire by the Enemy.
11. — Henry Wyld of Castleton	£125	0	0—	{ For arms for the Troops of the County
12. — Cap ^t Ed. Mosley	£20	0	0—	Borrowed to pay his Troops
13. — Lieut. Col. Roseworthe	£20	0	0—	Arrears of Pay
14. — Lieut. Col. Roseworthe	£49	3	5—	{ D ^o & for employment & Services in the County.

Letter from the Deputy Lieutenants to Mr. Chetham, in consequence of his neglecting or refusing to attend to the Warrants.

S^r

It appeares to us that by two severall Ordinances of Parliament you are appointed to bee Treasurer or receiver of certaine moneys by them ordered for the use of this Countie, to bee by you issued by warrant under the hands of sixe deputie Lievetenants of the Countie, whereof one or more to bee a member of the howse of Comons, According to which, there have been severall warrants directed to you

for severall Sumes of money, owing by the publick to Severall persons, wherein for your better ease & for prevention of your trouble, you are only thereby appointed to give directions to the Collectors of the said moneys att London, to pay the Same to the persons to whom the Said Sumes are due, or such as they shall appoint;—Nowe forasmuch as wee are informed that you refuse to execute the said Warrants, or in anie wise to intermedle with the Same, Which may tend to the greate losse and almost undoeing of the poore men to whom the Said moneys are due, and especially of Mr. William Sunderland, to whom the greatest Sume is owing, & is appointed to be first payed.

We have therefore thought fitt hereby to require an Accompt from you in wryting of the Reasons & grounds of such your deniall, that Soe we may render an accompt to the Parliament & may better know how to proceed in the Premises. And Soe expecting your speedy Answer, wee remayne

Y^r loving ffrends

Manchester November 20
1644

JO. MELDRUM
T. STANLEY
RICHARD HOLLAND
RAPHE ASSHETON
T. BOOTH
JOHN MOORE

J. BRADSHAWE
ROB^t HYDE

Letter from Colonel Duckenfield to Mr. Chetham for Money for the Parliamentary Service.

S^r I desire you will be pleased to dispatch y^e bearer hereof, as the order herewith sent you will direct; you will hereby doe my regiment and myselfe a great favour in preventing mee of further paines & trouble to you & otherwise about this business, in sending any more for this money; I hope you will rightly conceive hereof, Soe I shall remaine

Y^r obliged & ready frend

Duckenfeild 17 Aprill 1648

ROBTE DUCKENFEILD

For his esteemed ffrend
Humphrey Cheetom of Turton Esq these

From Colonel Duckenfield to Mr. Chetham.

S^r y^e order I formerly sent you for 200 out of your assessment for the Army I returned to London, because y^e County were unwilling to discharge it, but the last week y^e Comittee of Parliament for the Army did Send the foresaid order to mee back againe, requiring mee to collect it for you or to destraine for it, I desire therefore you will soe consider thereof as to cause y^e Said order for 200 to be presently discharged, & I will Send for the money when you please, relying upon your favour herein, I remaine

Y^r ready frend

Duckenfeild 10th October 1648

ROBTE DUCKENFEILD

if y^e s^d money be not ready with all speede, I must
send my Troope to quarter in y^r County.

To his honored ffrend
Humphrey Cheetham Esq. att Turton theise—trust,

From Colonel Duckenfield to Mr. Chetham.

S^r I am againe directed from the Committee of Parliament for the Army to demand the two hundred pounds, for which I have twice shewed you orders for, from you, & y^e Comittee & I doe assure you I will ere long send one hundred horse to quarter in your County till it be paid to mee as abovesaid, necessity compells mee hereto, because y^e guarisone of Liverpoole and Lancaster are in extreme want of moneyes & I will not Suffer them to starve whilst I have charge of them, soe rests

Y^r ready ffreind

ROBTE DUCKENFEILD

Chester 16th November
1648.

ffor M^r Humphrey Cheetom Treasurer & Colector
for the Monethly Assessments for Lancashire at
Cheatom thes delivd.

A Letter from Mr Chetham to the Committee of Parliament, with an accompt enclosed of the nine months' Assessment.

Gentlemen

Hitherto I (in particular) have endeavored by my letters to satisfy Collⁿ^l Duckenfeild's importunity for 200, and to alter his purpose from y^e inconvenience threatened by his inclosed letter, which because (though directed solely to mee) it seems to concerne both you and the whole County. I thought fitt to impart it unto you, with a copy of my accompt, whereby you may perceive that y^e Comittee of y^e Army have ordered to bee paid out of the assessments of our County, above two hundred pounds more then the whole assesments would amount to, if all y^e money should come in; And I pray please to be acquainted further, y^t the money which is yet behind the Collectors detain a greate parte of it, for their Sallary, according to the ordinance; and y^e rest (if it ever come in) will not discharge an order of 750 to bee paid M^r Norres, for y^e Souldiers of our County, whereof I have paid parte, and the rest (when I receive it) shall not stay in my hands; upon consideration hereof I doubt not but you will take some course, either by your certificate to y^e Comittee of y^e Army, or otherwise as you shall thinke fitt, y^t Collⁿ^l Duckenfeild's order may be countermanded, or himselfe convinced that it ought not to be charged here, for it will but bee in vaine for me to repeate to him againe what I have said already, being in substance y^e Same which is now sent to you from

Gent

Clayton November
20th 1648.

Yr most ready freind to serve you

HUMFREY CHETHAM.

P. S. Gentlemen, I concieve it very necessary for the Comissioners of y^e monethley assessm^{ts} forthwith to meete in answeere to some letters lately rec. from y^e Comittee of the Armye, & for that purpose if you please to thinke fitt of Tuesday next the 28th instant at manchester, by tenn of the Clocke, I shall not fayle to wayte uppon you

RICHARD HOLLAND.

The totall of the nine monthes assessments on y ^e County of Lancaster is.....	^{lb} 4770	^s 0	^d 0		
Whereof paid to Generall Lambert by order of y ^e Committee of y ^e Army.....	2000	0	0		
To William Strangwaies for y ^e Garrison at Liverpoole by the like order	0286	0	0		
For Generall Mitton's Souldiers by the like order..	0800	0	0	Rec ^d from y ^e Collectors of y ^e small Hundreds, in parte of y ^e Sume of 4770 opposite.....	4449 2 11
For y ^e Garrison at Lancaster by the like order....	0310	0	0		
To Lieutn ^t Seddon more for y ^e Garrison at Liverpoole by the like order	0220	0	0		
For Coln ^l Duckenfeild's Souldiers by the like order	0340	0	0		
To Mr. Alexander Norres in parte of his order of ^{lb} 750	0474	12	2		
For y ^e high Collectors allowance at ^d 1 in y ^e pound according to the ordinance	0018	10	9		
Remaines unpaid ^{lb} 320 ^s 17 ^d 1, whereof y ^e Collector and subcollectors are to keepe for their Salary ^{lb} 60 ^s 19 ^d 2 And the overplus paid in further parte of M ^r Norres order of ^{lb} 750, but will fall short of discharging it by ^{lb} 15 ^s 09 ^d 11	0320	17	1	Remaines uncollected or else in the Collect ^{rs} hands not paid into the High Collect ^{rs} or Receiver Generall	320 17 1
Totall.	4770	0	0		4770 0 0

Memorand. besides y^e 15 09 11 aforesaid charged upon the County more then y^e assessments will amount to, there is another order for 200 in Colln^l Duckenfeild's hands, which hee requires to bee paid out of these assessments also.

I have exam^d y^e Receipts & disbursements and found the charge upon the County to bee 4770, and y^e Accompts above written doe amounte to y^e like Some of 4770, as is above expressed.

E: WALL.

To the right wor^{ll} the Comission^{rs} for rayseing the monthly assessm^{ts} in the County of Lanc. or any of them—psent these

A Petition and Certificate from the Deputy Lieutenants, or Committee of Lancashire, to the Committee of Lords and Commons for the Army under his Excellency Thomas Lord Fairfax at Westminster.

Right Ho^{ble}

May it please yo^r honnors to bee certified that wee whose names are Subscribed, Commissioners for the monthly assessments in the County of Lancaster, upon sight of an order of Seaven hundred and fiftie pounds ordered by yo^r honors to bee paid to M^r Alex^r Norres for certaine uses therein expressed, And alsoe upon sight of severall Acquittances of the Treas^r att warre, and of a letter from Coll^l Rob. Duckenfeild produced unto us by Humfrey Chetham Esq^r (Receiver Generall of our said

County for the first nyne monthes onely) att our generall meetinge here this day, Wee doe fynde that the said Receiver is ordered by y^r honors to pay to y^e said Coll. Duckenfield twoe hundred pounds out of the said assessments, Whereas all the Remainder of the Said nyne monthes is not sufficient to discharge the order of 750^{ib} before mencioned, the Allowance or Sallarie for the High Collector and Sub-collectors being deducted accordinge to the Ordinance, which att the request of the Said M^r. Cheetam wee make bold to certifie, and humbly desire that the order by y^r honors granted to Coll. Duckenfield may be suppressed, or els discharged upon some other County. And wee shall remayne

Yr honnors humble Servants

RICHARDE HOLLANDE

JOHN STARKIE

J. BRADSHAWE

THOS. BIRCHE

Bolton 24^o Novembr

1648

My Lords

The 750^{ib} mencioned in this letter was ordered by you in part of the monthly paye for disbanding the Lancashyre forces. I have seene M^r. Cheetam's accounts & I doe assure y^r Ldshippes hee hath not wherewith to pay the 750^{ib}. wherefore I beseeche you to satisfy Col. Duckenfeild out of the assessment of some other County.

I am, my Lds yr most hum^{ble} Serv^t.

RAPHE ASSHETON.

To the right Ho^{ble} the Comittee of Lords & Comons for the
Army under the comand of his Exc^{tie} Thomas Lord
fairfax at Westminster. these present

Letter from Colonel Duckenfield, dated Chester, 29th November, 1648.

S^r. If you have accompted for y^e first 9 monthes assessments in your County, yet there is 8 monthes assessments more due, wherein you or y^r comittee might easily discharge y^e order for 200, y^t I writt to you of formerly, I used all means y^t well laye in mee with y^e Comittee for y^e army that the said Sume might be remitted to you, & required out of some other County, but they would not assent thereto, & I will not loose it, therefore if you please within eight dayes to procure mee the said 200, or give mee a satisfactory answer why its detained, I shall accompt it as a favour from you, otherwise I will send ffoure troopes of Horse into your County, y^t I can very well spare, soe reste

Yr ready ffreind

Chester 29th Nov. 1648.

ROBTE DUCKENFEILD.

ffor his much respected M^r. Humfrey Chetham
of Clayton these.

The originall lre was given to Colon^{ll} Holland
& a Coppie thereof to Colon^{ll} Birche.

Mr. Chetham's reply to the foregoing.

Much honored S^r.

Yt is verie true that I was appoynted Rec. Generall for 9 months assessment for our Countie, and noe more, of which I have givene a satisfactorie accompt, but as touching the 8 months assessm^t,

whereof your letter now informs mee, I did not see much as even heare of it before, and whether our Committee have assessed it, & appoynted a Treasurer to receive it I know nothing thereof:—butt that all friendlie correspondence may bee continued betwixt the 2 Counties, I have sent your letter to craive Generall Ashton and Colonell Holland to bee communicators to the rest of the Comyttee, that they may advise & take Care how to answer your demands. And Soe untill farther occasione I rest,

Yours to serve you

December 4th, 1648.

HUMFREY CHETHAM.

Letter from the Deputy Lieutenants to Mr. Chetham, respecting the money for payment of the Garrison at Liverpool.

S^r.

The orders of the Comittee for the Army Sent by this bearer, beinge of greate concernment to the Satisfaction of the Soulerie in the Garrison of Liverpoole, who are at present, as we are fully informed, three moneths pay and a halfe in arreare, and not having as yet allowed any free quarters from the Towne or Countrey, the which necessity of theires wee cannot but desire earnestlie may bee something redrest by the observance of those orders. S^r the present emergencie, together with the good of the Garrison and County being much herein concerned, wee could doe noe lesse but acquaint you herewith, that through your care some speedy course may be taken for satisfaction of the Orders from above, wherein you may do an acceptable Service to the publicke; S^r wee are

Yr Loveing freinds

July 25th 1648.

G. IRELAND Vic.

T. STANLEY

PETER EGERTON

JOHN HOLCROFTE

RA. WORTHINGTON

PETER BROOKE

S^r wee expect a speedy answer in writinge by this bearer that wee may certify about either your neglect or observance of these orders.

For M^r Cheatam Generall Receiver of ye monthly Assessments for ye Army. These

THE ANCIENT PARISH CHURCH

OF

MANCHESTER,

AND

WHY IT WAS COLLEGIATED.

BY

SAMUEL HIBBERT-WARE, M.D., F.R.S.E.,

HONORARY MEMBER OF THE ANTIQUARIAN SOCIETY OF SCOTLAND, MEMBER OF THE ROYAL
SOCIETY OF NORTHERN ANTIQUARIES OF COPENHAGEN, OF THE LITERARY SOCIETY OF
HEIDELBERG, OF THE GEOLOGICAL SOCIETIES OF LONDON AND FRANCE,
ETC. ETC.

MANCHESTER:

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MDCCCXLVIII.

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TO THE REV. CECIL DANIEL WRAY M.A.
VICE DEAN
AND
SENIOR CANON
OF THE CATHEDRAL CHURCH OF MANCHESTER
THIS HISTORY
OF ITS ANCIENT PARISH
IS DEDICATED
IN GRATITUDE FOR THE IMPORTANT AID
RENDERED TO THE AUTHOR
IN THE COURSE OF THESE RESEARCHES
AND
AS A TRIBUTE
TO THE LABOURS OF A PIOUS CHURCHMAN
WHOSE NAME IS ASSOCIATED
WITH
THE LEADING INSTITUTIONS OF THIS CITY
DIRECTED TO THE CAUSE
OF
RELIGIOUS INSTRUCTION AND BENEVOLENCE.

S. HIBBERT-WARE M.D.

ADVERTISEMENT.

As this work makes its appearance at a time when a misunderstanding prevails between the Collegiate Chapter and a party in Manchester, the Author judges it necessary to state,—

First, That the documents in the possession of the Chapter House,—now edited, translated, and commented upon,—were intrusted to the Author's inspection long before these unhappy disputes had commenced;—at a time when the publication of them could not be supposed to bear upon any ecclesiastical question whatever since agitated;—

Secondly, That if the Author placed any doubt whatever,—at the utmost a very faint one [see page 195],—whether the documents might be regarded as still open for his consultation, he has satisfied himself that it was never understood they were withheld during a single moment from his examination;—

Thirdly, That in any comments passed upon these documents, the Author does not identify himself with any party whatsoever;—

Fourthly, That if the Collegiate Chapter of Manchester intrusted to the Author the examination of their charters, &c., it would be most unreasonable to suppose, that the members of this capitular body should be held responsible in the slightest degree whatever for any views which might be entertained in the memoir now published;—and

Fifthly, That it would be no less inconsistent, if the Author, while unavoidably touching upon debateable matter, should arrogate to himself the infallibility of any conclusions to which he might arrive,—especially if such conclusions should be opposed to the views of the Collegiate Chapter of Manchester, in whose erudition, as well as good intentions, he places the deepest confidence.

S. H.-W.

P R E F A C E.

IN this Preface I shall advert, in a very general manner, first, to the circumstances which gave rise to the publication, in 1830, of the three former volumes,—and

In the second place, to the reasons which subsist for publishing a fourth or supplementary volume.

And, first, of the three former volumes, towards which the earliest materials had been collected by a very worthy man and good scholar, who died soon after the commencement of his labours.

If the design of this work originated with the late Mr. Greswell, Master of the School of Chetham's Hospital, the execution is due to the spirited publisher Mr. Agnew, who is assuredly entitled to no ordinary meed of gratitude from the inhabitants of Manchester, in his zeal to illustrate the interesting topography of the second city in Great Britain.

Among the distinguished institutions of Manchester, the Collegiate Church, the Free Grammar School, and Chetham's Hospital, have ever stood in the foremost rank. In a history of these foundations, under the proposed editorship of the possessor of Mr. Greswell's collections, the late Mr. William Ford, it had been intended to preserve the memories of founders and benefactors, to enumerate their useful labours, and to specify their munificent grants.

But Mr. Agnew was deceived in the editorial assistance promised him, notwithstanding the extraordinary outlay which he had incurred to render the volumes worthy the patronage of Manchester. Numerous were the graphical embellishments which had been executed in the first style of the arts, from original paintings and drawings, expressly made for the work. These, as I have remarked on a former occasion, were accomplished at an expense so enormous, as to preclude every reasonable hope of pecuniary remuneration.

In feeling for the disappointment and for the ruinous outlay of the publisher, and in my anxious wish to promote a work of this public interest, I undertook myself to supply the place of the individual whose services had been withdrawn from the editorship. In accepting this office, however, I was led to suppose that the materials of the proposed history were so complete that little more labour would devolve upon me than the arrangement of them in a due methodical form. But in the course of the task I was doomed to great annoyance. It was evident that a most wide field of information subsisted, perfectly unknown to Mr. Greswell, the original suggestor of the history, who had been employed in merely collecting materials, but had not himself, as I began to discover, composed a single line of the history. The pages of manuscript which I had at first conceived to have been actually written for

PREFACE.

Mr. Agnew's splendid publication, proved to be little more than extracts from previous histories or records of Lancashire, too many of which, under a popular form, had long been in circulation.

Under these circumstances I was at last compelled to turn author myself, and although the original information which I sought and obtained from divers sources far exceeded my most sanguine expectations, I was still aware of the great deficiency of information which still subsisted,—a deficiency which could only be supplied by access to the charters of foundation and other records deposited in the muniment chest of the Chapter House, which, during the progress of "The Great Tithe Cause of Manchester," was not likely to be granted.

Having thus found my labour to be infinitely greater than I expected, which interfered exceedingly with other engagements, Mr. Agnew was advised by me to procure the aid of Mr. Palmer, architect, and Mr. Whatton, to each of whom distinct portions of the history were assigned.

The result was a work in three volumes quarto, with profuse embellishments, under the general title of "THE HISTORY OF THE FOUNDATIONS OF MANCHESTER," &c.

Of this work, THE HISTORY OF THE COLLEGE AND COLLEGIATE CHURCH OF MANCHESTER, founded by Thomas, Lord la Warre, was written by myself. It occupied the whole of the first, and half of the second volume:

The remaining half of the second volume contained the valuable ARCHITECTURAL DESCRIPTION OF THE COLLEGIATE CHURCH AND COLLEGE OF MANCHESTER, by Mr. John Palmer, architect:

While the third volume, drawn up by Mr. Whatton, was a HISTORY OF THE MANCHESTER SCHOOL AND THE CHETHAM HOSPITAL AND LIBRARY.

Such were the incidents connected with the original appearance of the work.

Of the first contributors to the "History of the Foundations of Manchester" I am now the only survivor,—experiencing the infirmities of age, yet still trusting that I shall be enabled to further illustrate the ecclesiastical history of my native town, now advanced to the rank of an episcopal see and city, by the completion of a fourth and supplemental volume. This will comprise two great divisions, the first of which is now presented to the public under the title: THE ANCIENT PARISH CHURCH OF MANCHESTER, AND WHY IT WAS COLLEGIATED.

The second great division will contain NOTES AND ADDITIONS TO THE HISTORY OF THE WARDENS OF THE MANCHESTER COLLEGE, being intended to supply the deficiencies of the former volumes, and ending with the formation of the Bishopric. The histories also of the two other foundations of Manchester will be continued down to the present period.

Having thus stated the general design of the supplementary volume, I would, in the second place, explain the causes which have led to its production.

Between the publication of the first three volumes of *THE MANCHESTER FOUNDATIONS*, and the appearance of a fourth, or supplementary volume, eighteen years or more have intervened. The additional volume owes its existence to the Reverend Canon Wray, without whose aid I never could have accomplished my present labour.

It was during the period when I was engaged in my former work that this gentleman was a Chaplain of the College. He had then no access to the muniment chest of the Chapter House, but he supplied all my requisitions to the utmost of his means, from such resources as were exclusively his own, or had been collected by him, considering no trouble too great in furnishing me with information.

But soon after the former publication had taken place, circumstances changed. On the fifth of October, 1830, Mr. Wray was elected fellow of the Manchester College, in the room of the Reverend C. W. Ethelston, deceased, to which office, agreeably to an act of parliament, the title of Canon was afterwards attached. By this elevation Canon Wray had access to the charters, &c., of the College, from which he obtained for me, with the concurrence of the Dean and Chapter, the loan of the great charter of foundation, which I was permitted to decipher at my house in York.

About four or five years ago I came to reside a few miles from Manchester, when I felt anxious to be acquainted with other documents, of which I possessed a few notes and abstracts made by Canon Wray. My wishes were instantly acceded to by the liberality of the Collegiate Chapter, in the course of which I made personal acquaintance with Canon Parkinson, who even allowed me to copy his own collections which he had made from other sources of information towards a history of the College and Collegiate Church. The generous and unostentatious manner in which he facilitated my frequent references to the muniment chest, will never be effaced from my memory.

Nor ought I in gratitude to omit mention of the politeness which I received from the late Dean, the Hon. and Rev. Dr. Herbert, and the other Canons, members of the Chapter.

After having been thus possessed of such an accession of inedited documents, I became, while studying them, acquainted with the fact, that the motives which gave rise to the collegiating of the ancient Church of Manchester were two-fold: the first resulting from the increase of population which had arisen in the large parish of Manchester, while the second ensued from the abuses of patronage. A capitular body was accordingly constituted, which had in view two objects solely:—the augmentation of Divine worship, and a more efficient cure of souls.

But the incident most worthy of remark was the remonstrance of the Founder himself against the degradation of ecclesiastical discipline, which had ensued from the rectors of Manchester having been employed in the secular offices of their patrons. This was expressed in as strong language as Wycliffe himself was in the habit of using. And thus, the collegiating of the ancient parish church of Manchester assimilated itself with the earliest movement of reform in England.

This was a discovery, as I conceived, of the deepest interest, yet so much did I mistrust

my own capability of appreciating its value, that I submitted some of the extracts made from the charters, to the judgment of a very old and esteemed literary friend, who happened to be then in Edinburgh, Mr. Trevelyan, now Sir Walter Calverley Trevelyan, Bart., whose knowledge of the history of the English church I knew to be profound. Upon his coinciding with me in an opinion of the high historical importance which ought to be attached to the facts thus developed, I began to study with much earnest attention the era of Wycliffe, who, I soon found, had pronounced, that, in conjunction with the invasions of the rights of patrons by the Papal see, the abuses in ecclesiastical discipline introduced by patrons themselves, constituted some of the greatest grievances of this eventful period.

Such are the simple circumstances connected with the collegiating of the parish church of Manchester. A charter was conceded to the reforming spirit of the days of Lollardism, which owed a dubious allegiance to canonical authorities and precedents. Whether, therefore, it can be safely quoted in inquiries concerning the nature of appropriations in general,—at present the subject of a truly learned argument in Manchester,—I shall express no opinion whatever.

It is sufficient for me, in reference to the truth and correctness of the foregoing narrative, to offer the following explanation:—

Should it be thought that the present work has been suggested by the discussion of certain ecclesiastical questions with which Manchester has for several months been agitated,—it is certain that any such motive as this has met with no response whatever in the mind of the Author. He has arrived at a period of life in which repose is far more congenial to his feelings than the field of religious controversy. Had the contention occurred earlier, it is doubtful if the present volume would ever have seen the light. But to recede was found impossible. Far too large a portion of the volume had been printed off.

Neither would the Author have felt the delicacy of his position half so much, if he had not been indebted to the College for the most valuable portion of the materials which he was printing.

Yet these circumstances ought still to create no reasonable difficulty, so long as the path of duty open to every conscientious annalist remains unclouded. While the writer is forbidden to suppress any fact or incident whatever which might affect the sacred truth of history, not a single line will fall from him, inimical to the best interests of a Collegiate institution, which, notwithstanding occasional aberrations, such as may be detected in the ecclesiastical occurrences of England during every age, has diffused the greatest blessings upon the Christian community of Manchester.

S. HIBBERT-WARE.

*Hale Barns, near Altringham,
April 21st, 1848.*

THE ANCIENT PARISH CHURCH OF MANCHESTER,

&c.

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* * This work, under the title of THE ANCIENT PARISH CHURCH OF MANCHESTER, &c., is, more properly speaking, an INTRODUCTION TO THE ANNALS OF THE COLLEGE AND COLLEGIATE CHURCH, MANCHESTER, formerly published, to which additions are intended to be made in a second portion of this supplementary history.

In page 199, will be found the acknowledgments which I owe to the correspondents who have honoured me with communications in aid of my rather difficult labour.

S. H. W.

HISTORICAL INTRODUCTION

TO THE

ANNALS OF THE COLLEGE

AND

COLLEGIATE CHURCH,

MANCHESTER,

FOUNDED BY THOMAS, LORD DE LA WARRE,

A.D. MCCCCXXII.

As the circumstances which gave rise to the foundation of the College and Collegiate Church of Manchester cannot be appreciated without the aid of a history dating from the earliest known records of the town, this object will be attempted after the following manner :

First, by an inquiry into the origin of the two Saxon Kirks of Saint Michael and Saint Mary, Manchester, which were endowed with a carucate of land named the Kirkman's Hulme ;

Secondly, by a glance at the period when Roger de Poitiers held all the lands between the Ribble and the Mersey ;

Thirdly, by a chronicle of the events which took place when the Greslets were Barons of Manchester and Patrons of the Kirk of Saint Mary ;

Fourthly, by details of the civil and ecclesiastical state of the town during the baronial sway of the family of La Warre.

the River Medlock, near its confluence with the Irwell. In the various Iters, this station is made to communicate with Cambodunum, Condate, Coccium, and Veratinum.

After the Romans had quitted Britain, which they left to be overrun by uncivilised tribes, a complete dismemberment of the country ensued, which was indicated by the co-existence of a number of small provinces, named fiefs, respectively under the sway of divers petty sovereigns, or masters, of Saxon, Frisian, or northern descent. A fief, or "beneficium," was the reward of territory conferred by a superior upon the condition of services, generally of a military character. The possessors of fiefs formed among themselves an infinite number of small groups, in each of which was to be found some leader, some lord, or some chief, who bore paramount sway. At the same time, there was an absence of all monarchical centralization.

During this incipient state of feudalism, the Saxon district of Salford, in which Manigceastre, or Manchester, was situated, became known under the name of the "Salford Hundred." Like the "Pagus" of which Tacitus writes, it might have furnished a band of one hundred combatants for battle, whence the term "Hundred," under the guidance of some northern chief. It may also be conjectured that the petty prince, or the thegn, resided at Manigceastre, and that the principal

Part First.

THE TWO ANGLO-SAXON KIRKS OF SAINT MICHAEL
AND SAINT MARY.

Manchester was the Mancenion of the Britons and the Mancunium of the Romans. It was originally formed upon the northern banks of

pass or ford of the Irwell, designated, from its superiority, the "Salford," or "the safe ford," had given its name to the territory which constituted the hundred, or shire.

At length another social organization ensued. With the state of feudal proprietorship, there was a fusion of sovereignty. Among the numerous aggregations of Saxon families, differing from each other in population and geographical extent, so as to give rise to the various names of hides, tithings, sowlings, hundreds or shires, royalty was introduced, and, in struggling against competition to maintain for itself a separate and independent existence, produced that manifold and complex state of kingly dominion which particularly characterised the Saxon octarchy. The hundred of Salford then became comprised within the kingdom of Northumberland.

The social constitution of the hundred of Salford next aimed at that more complete development which is described in the records of a later date, namely, the Dom-Boc. Royalty was no longer, as in the Roman period, a brilliant manifestation of temporal power. Kings were little more than great proprietors of fiefs, surrounded by other proprietors almost equally powerful with themselves, and, occasionally, even more so. The king, in contradistinction to inferior lords, was "king-lord," or lord of the principal chieftains, and, through them, of their respective vassals. Great tenants paid homage to their sovereign at Christmas, Easter, and Whitsuntide.

Along with the king-lord who wielded the sceptre of Northumberland, the feudal society of the hundred of Salford was composed of thegns, villains, bordars, and bondmen.

The thegns, from thegnian to serve, were so named from the military service which they performed. The law required one combatant from every five hides of land, and hence, when the ceorl, of an ignoble class, obtained this amount of territory, he was raised to the rank of thegn. Of thegns, however, there were two degrees:

The greater, or royal thegns, acknowledged no other superior than the king, and, as such, they enjoyed in the hundred of Salford, as in other districts, certain privileges and immunities.

The lesser thegns were subordinate to such coldermen as held immediately from the king. They formed a class which the practise of subinfeudation, or subthanage, had created. Thus we read of berewicks in the hundred of Salford, which were held by as many thegns, that is by lesser thegns who gave in their fealty, or adhesion, to some superior or royal thegn. For

instance, the manor of Assheton-under-Line was a berewick of the superior manor of Manchester, whence it has been inferred that Manchester boasted for its lord a royal thegn, while Ashton was possessed by a subordinate thegn.

The villains, or coloni (*glebæ inhærentes*), originally sprang from a condition of society like that of tribeship, clanship, or septship. They lived in a sort of semi-slavery upon the domains of great chiefs, which lands they cultivated under the stipulation of an annual rent.

The bordars were a still lower class of farmers possessing some smaller portion of soil, under the obligation to serve the superior with eggs and poultry. But the exact nature of their services, generally supposed to be of a very ignoble kind, has not been determined.

The lowest order in the social scale was that of servi, or bondmen, originally captives of war, or malefactors, held in servitude for their crimes, whose persons belonged to their masters, who were employed in domains to work in the fields, or in the interior of houses. Their owners had a right of claiming them wherever found. They were publicly bought and sold in slave-markets.

Such was the organization of Anglo-Saxon society, in the Salford hundred, about the commencement of the octarchy.

At this period, the Saxon church began to possess a history;—which history dates from the era of papal ascendancy, when the influence of the see of Rome over the whole of the states of Christendom was confirmed. The system, derived from the East, which admitted of patriarchs, having been powerful in the church, had already reduced to a subordinate rank archbishops and bishops. The Bishop of Rome then became the sole Patriarch of the West; his claim to supremacy having been aided by the tradition, that Saint Peter had exercised the same spiritual functions. Hence the gradual preponderance which the pontiff had acquired by appeals made to him from all the churches of Europe, to decide grave questions of faith and discipline. And thus the conviction gained ground, that the pope, as the interpreter of the faith, was the chief of the universal church, above all other bishops, above national councils, and even above temporal governments.

In Britain, the influence of the pope was perhaps greater than in any other country in Christendom, owing to this circumstance, that the Anglo-Saxon church had, from its origin, been exclusively under the influence and encouragement of the Bishop of Rome, as was shewn in the apostolic labours of Augustine and Paulinus.

In the district contained between the Ribble and the Mersey, numerous stone crosses are still to be seen at Whalley, Ribchester, and other localities, which remain as the most ancient monuments of the sacred mission of Paulinus. Odinism was dispelled, the influence of which, in the Saxon Manigceastre, or Manchester, was indicated by the cave which lately existed at Ordshal, under the traditional appellation of "Woden's Den." Within this gloomy recess the obeisance of the traveller was invited, while traversing the ancient paved causeway of "Woden's Ford," formed across the river Irwell. Eventually, Woden's cave became the site of a Christian hermitage.

§ 1. THE KIRK OF SAINT MICHAEL, ALPORT.

In the year 689, according to Robert of Brunne, Manigceastre was the temporary residence of Ina, King of Wessex, and Ethelburga his Queen:

"Ina, King of Westsex, for his wife sent
"Unto Malmcestre, the Queen till him went."

This historical occurrence naturally leads us to suppose that a Saxon keep, or castle, which owed its origin to a thegn, must have existed within, or near the area of the Roman station of Mancunium, whence the later name which this site acquired of the Castle-field. And if a castle really subsisted at this period of Saxon history, we are entitled to suppose that it was not unaccompanied by a church. The legitimacy of this inference is evident from considering what actually took place in Gaul after the dismemberment of the Roman empire. Every feudal proprietor would erect for himself a petty dominion, which was little disturbed by the overruling attempts of kingly authority, then in a state of imperfect centralization. Accordingly, in establishing himself, like the thegn of Manigceastre, within some previously fortified site attributable to Roman design, or engineering, he would collect around him a small assemblage of coloni, or serfs, for whose spiritual interests he would found a church and provide for the maintenance of a priest, named in Manigceastre, a kirkman, who, at the same time, would be the chaplain of the castle. At a later period, Æthelstan required that every thegn should possess in the immediate site of his castle, a church and a bell-house.

In reasoning after this manner, we may suppose that the labours of the early missionary, Paulinus, were in due time rewarded in Manigceastre by the erection of the more ancient of the two churches commemorated in the Dom-Boc, namely of St. Michael. The site was either adjoining the original Saxon fortress of Mancastle, or somewhere within that portion of the older town of Manigceastre, which, in contradistinction to a newer, or more northerly

site, acquired the name of Aldport, or the Old Town. Some remains, conjectured to be ecclesiastical [see Baines' Lancashire, vol. ii, p. 155], were discovered in the year 1821, by some workmen, while making a drain in the township of Hulme, in the exact line of the Roman road from Manchester to Chester, being a few hundred yards to the southward of the Roman station. But, unhappily, these relics possess no very determinate character.

The most satisfactory indication of the existence of Saint Michael's Kirk, within the precincts of Alport, is that which was first commented upon by Whittaker, namely, the annual mart which is still kept up in an open space adjoining the Castle-field, named "Knott Mill Fair." The learned historian of Manchester has supposed this annual commemoration to have arisen from the feast of dedication.

From these investigations it would appear, that the church dedicated to Saint Michael, which is commemorated in the Dom-Boc, may with great probability date from the close of the seventh century, at a time when, in the west of Europe, the church was completely organized, and, in the language of Guizot, had succeeded in bringing into order by means of a moral force, the chaos of material power which had invaded society.

§ 2. THE SAXON PARISH OF MANCHESTER.

After the conversion of a Saxon district, such as the hundred or shire of Salford, to Christianity, each Christian agglomeration, at first rather inconsiderable, would form a parish, having for its religious chief a priest, or "kirkman." Mr. Whittaker (more solito,) has speculated diffusely upon the original extent of the parish, or thegnland, of Manigceastre, proceeding upon the supposition, certainly a gratuitous one, that it was commensurate with the recorded extent and boundary of the barony during a much later period of its history, namely, in the reign of Edward the Second. In quoting the recommendation of a council of the church, summoned A.D. 678, by Theodore, he has remarked, that as dioceses had been made commensurate with provinces, in like manner parishes would now be made commensurate with baronies, the church being in the centre of them, and has thence inferred that the thegnland, or parish of Manchester, "was skirted by the parishes of Eccles and Flixton on the west, and washed by the currents of the Mersey and Tame on the south; that it reached up to the hills of Saddleworth on the east, and bordered up to the parish of Prestwich on the north."

The obligation of tythes, collected in each pa-

rish, owed its first enforcement to Offa; who, in 747, ordered a previous law, framed for that purpose, to be strictly put into execution.

§ 3. THE DIOCESE AND PROVINCE WITHIN WHICH THE SAXON CHURCH OF MANCHESTER WAS CONTAINED.

The union of all such parishes as happened to be agglomerated round a city, in a circumscription a long time vague and variable, formed the diocese, over which was placed a bishop; who was, in fact, the source as well as the centre of diocesan organization. Saint Michael's Kirk of Manigceastre was at first in the diocese of York, of which Paulinus was the first bishop. Subsequently, the episcopal see of Lichfield was created; which, in the year 656, was held by Diuma, the first bishop, conjointly with the see of Lindisfarne. And when Northumbria had fallen under the dominion of the West Saxons, the tract of land between the Mersey and the Ribble, within which Manigceastre was included, became dis severed from the diocese of York and was annexed to that of Lichfield.

Again, as the city of York, the Eboracum of the Romans and the metropolis of Northumbria, possessed riches, population, and influence, all the dioceses adjoining to it composed an ecclesiastical province, which was under the direction of a metropolitan, or archbishop. His residence became the chief site of the provincial council, which, as the president, he convoked. He was also charged to confirm and to give his consent to such bishops as had been elected within the province, to receive accusations, and to submit them to councils which alone had the right of judgment.

But, besides the archbishopric of York, Offa, in the year 747, prevailed upon Adrian the First to make the see of Lichfield archiepiscopal; which in the subsequent reign of Egfrid was revoked, when Lichfield became finally annexed to the province of Canterbury.

Owing to these changes the Saxon parish of Manigceastre, in its removal from one see to another, became in turns comprised within the archbishoprics of York and Canterbury.

During this constitution of the Anglo-Saxon church, the episcopal influence was considerable. In the tenth century, Æthelstan enacted a law, whereby bishops were empowered to sit occasionally in courts of judicature, to inspect the proceedings of the civil magistracy.

Numerous also were the edicts which appeared for the support of the influence and supremacy of the Bishop of Rome, as Patriarch of the West. In 727, Ina, King of the West Saxons, established regulations for the annual payment of a penny for

each house to the papal see, which was called Rome scot, or Peter pence. Offa, in 747, confirmed this provision, upon the occasion of a pious visit which he made to Pope Adrian.

§ 4. THE TOWN OF MANCHESTER IS DESTROYED BY THE DANES.

After the dissolution of the octarchy under Egbert, there took place a less complex centralization of monarchy in England, whereby the government of the country was surrendered to one power superior to all other local influences. The Anglo-Saxon dynasty then arrived at the greatest height of rule, of which the feudal institutes of the kingdom were susceptible.

Subsequently, Northumbria fell under the dominion of the Danes and other northmen. In the reign of Ethelred, all lands became subject to a tax, named Dane-geld, as a compensation for Danish forbearance. Manigceastre was then overrun by a horde of plundering northmen, and, according to old writers, was "sore defaced by the wars of the Danes."

Early in the tenth century, when the Northumbrian Danes had begun to encroach upon the borders of Mercia, Edward the Elder, in the system of defence which he adopted, wrested Manigceastre from the power of its invaders; and, as historians add, "because the inhabitants had behaved themselves manfully in the British wars, the Saxon monarch repaired the town beyond the river Mercia, then accounted the south-east of Northumberland." Mancastle then underwent a renewed state of defence, and was subsequently attached to the estates of the crown.

A century afterwards, Mancastle became possessed by Canute the Dane, whose ancient proprietorship is still commemorated in the ancient mill turned by the river Medlock, which has since continued to bear the name of "Knute's Mill," now corrupted into "Knott Mill." Until the time of Canute, the lands had been burdened with the obligation of supporting the king during his progress through the country. But the more considerate Danish monarch undertook, from the demesne lands of the crown, or from the royal farms, to relieve his people from the heavy impost. Accordingly, the profits of the mill adjoining Mancastle, named Knute's Mill, were devoted to this beneficent purpose.

We know nothing of the state of the church of Manchester during the Danish invasions. Much of the discipline of the English church is said to have been abused; whence the laws of Edgar, enacted about the middle of the tenth century, regarding the celibacy of the clergy, and concerning

fasting and confession. Canute, the Dane, in compensation for the atrocities of his countrymen, continued the reform by still newer ecclesiastical laws, and ordered many churches and houses which had been destroyed, to be repaired.

With the accession of Edward the Confessor to the throne of England, the Saxon line of monarchs was restored. This king, like his predecessors, possessed manors in divers parts of the kingdom. Between the Mersey and the Ribble he had various lands distributed among its five districts, named Hundreds. It is also expressly stated, in the Dom-Boc, that "King Edward held Salford."

§ 5. MANIGCEASTRE IS REMOVED TO A MORE NORTHERN SITE.

It has been shewn that the older of the two churches commemorated in the Norman survey, was that of Saint Michael, situated in Alport, either within, or adjoining the Roman station of Mancunium, subsequently named Castle-field. When the Dom-Boc was compiled, both the castle and the older church were in a process of decay. It must be recollected, that for upwards of a century, the Danes had made Manigceastre the constant scene of their devastation and slaughter; and when they had nearly destroyed the town and fortress, it would be very natural for the Saxon natives, amidst the encouragements held out to them by their revived line of Saxon monarchs, to avail themselves of a stronger position afforded by the immediate vicinity of Mancastle, where another town, and even fortress, might be built. Such a superiority the confluence of the Irk and the Irwell would promise, independently of the convenience which it would possess of commanding the chief and best ford of the river, namely Salford, or the safe ford. Hence may be explained the reason why the town was removed to the ground which it subsequently occupied, about a mile north of the more ancient site of Alport. As Saint Michael's Church, therefore, would be at an inconvenient distance from the newer town, another church arose, which was dedicated to Saint Mary.

§ 6. THE NEWER CHURCH OF SAINT MARY.

With regard to the site of the kirk and kirk-yard of Saint Mary in Manigceastre, it lay to the south or south-west of the present market-place. According to the tradition which has been collected by Mr. Whittaker, it stood at the termination of Saint Mary's-gate, formerly a narrow avenue, at its eastern end. It is also stated by the late Mr. Gresswell, that an ancient stone arch had been discovered on the easterly and south side

of the present Saint Mary's-gate, the remains of which were to be seen in a wine vault, formerly in the occupation of Mr. Ridings.

Remains of the cemetery, attached to the kirk, are said to have been indicated at the time when the present church of Saint Ann's was built. Vast quantities of bones were dug up, deposited in their cells, and discovered everywhere as the foundations were carried along, about two yards deep in the ground.—[History of Manchester, 4to., vol. ii, p. 412.]

The late Mr. Barrett has also stated, that when the floor of a bookseller's shop, on the site of the present new Exchange, was taken up, he saw a brick vault in which human bones had been deposited.—[See his MSS. in the Chetham Library.]

In the year 1742, a similar discovery was made during an excavation at the eastern termination of Saint Mary's-gate, on the south side of the street, west of Byrom's-court. The workmen went through seven or eight feet, and then came to evident graves.

These observations attest the great extent of the original church-yard of Saint Mary; which, in a general manner, may be considered as having occupied the present area of Saint Ann's-square, Exchange-street, and an easterly portion of Saint Mary's-gate.

§ 7. THE CARUCATE OF LAND GRANTED TO THE CHURCHES OF SAINT MARY AND SAINT MICHAEL.

The donation of a carucate of land to the two churches of Manigceastre was in pursuance of the practice of Charlemagne, at the end of the eighth century. He ordered, that there be given to each church, under the name of "Mansus Ecclesiasticus," a "metairie," free from all kinds of charges and of imposts.

In Manigceastre a carucate of land was given to the two churches of Saint Mary and Saint Michael. The carucate has been supposed, with good reason, to have been the hamlet, and tract of land annexed to it, of the "Kirkman's Hulme," which had been devoted by some Saxon thegn to the support of the "kirkman," or "persona ecclesiæ" of the Saxon town of Manigceastre; who, from this donation of land, would acquire the rank of a mass-thegn;—a term then used in contradistinction to a "world-thegn," who, among other military services, was required to furnish one miles for every five hides of land, and to serve his sovereign two months upon each requisition. The estates of the mass-thegn, on the contrary, were exonerated from military and all other services.

At what time the grant of a carucate of land

was made to the church, or churches, of Manchester, is perfectly uncertain. Mr. Whittaker has supposed, without any proof, that it originated in an early Saxon period, with the first thegn of the district! We find no mention of the grant, however, until the time of Edward the Confessor; the record first appearing in the Domesday survey.

With these remarks our inquiry into the origin of the two Saxon churches of Saint Michael and Saint Mary is terminated. At the remote epoch of their foundation, so intimately were spiritual and temporal interests interwoven with each other, that it was found impossible to disunite the history of holy kirk from that of the manor, of which it formed a component part. It was shewn that the lands of the Anglo-Saxons were essentially feudal; that is, they were distributed into a number of distinct fiefs, which were held under the obligation of military service. Monarchy, however, which was opposed to the feudal tyranny of thegnage, had succeeded, amidst the clashing interests of local influences, in centralizing its dominion, and in exercising over the whole a salutary jurisdiction. While monarchy accommodated itself to the principles and forms of feudalism, it obeyed the immediate wants of society at large, by assuming the right of interfering with the privileges of thegns, for the purpose of protecting the feeble against the strong. Thus, the king was the superior judge, and received appeals from every court of judicature. Eoldermen, sheriffs, boroughreeves, and judges, alike held offices at his pleasure, and were at once removable by a royal fiat. And, in the meantime, the church assisted the views of monarchy, by an appeal to the moral and religious principles of feudal society, even to the mitigation of the hard condition of the slave, or bondsman.

Part Second.

THE INTERVAL DURING WHICH ROGER DE POICTOU
BECAME POSSESSED OF THE LANDS BETWEEN
THE RIBBLE AND THE MERSEY.

We now draw nigh to one of the most interesting epochs of English history. On the 14th of October, 1066, William of Normandy, by the decisive battle of Hastings, doomed the whole of England to a change of masters.

Among the few Norman lords who had been favoured with extensive grants, was Roger, the third son of Roger de Montgomery, Earl of Belesme. To Roger de Poictou, or Pictavensis, was assigned, along with various manors in other parts of the

kingdom, an extensive and compact district, which included the shires, or hundreds, of Amounderness, Furness, and Lonsdale, together with the large tract of country lying between the Ribble and the Mersey, among which was the hundred of Salford. The grantee was at the same time invested with the rank and functions of an earl, or eolderman, of the Saxon period,—of one who led the vassals of his shire to battle, who presided, with the bishop, in the county courts, who enforced the execution of justice, and paid a portion of his rents and fines into the treasury of the king.

Roger de Poictou soon found the difficulty of his position. He had taken possession of a large tract of country which he had no means of occupying, or of preserving from the invasion of neighbouring feudal proprietors; as, for instance, from those of Mercia on the south, or of Westmoreland and Yorkshire on the north and east, who might detach certain portions of territory lying contiguous to their respective domains, or might even establish themselves in the province at large as usurpers. In fixing his own seat, therefore, in the strong-hold of the castle of Lancaster, he assigned to a select number of barones comitatûs, various stations commanding the frontiers of his province. By these adherents Roger de Poictou, in his new royalty, was surrounded, and with these faithful allies he acted in assembly and concert.

In the next place, as the barones comitatûs had severally tenants, or vassals, of their own, Roger de Poictou acknowledged, to a certain extent, their feudal independence, and allowed their jurisdiction within their respective domains to exercise itself with efficiency. At the same time, he placed himself above all local powers established within his territorial circumscription, assuming the right of listening to appeals, and thus of controlling the acts and decrees of his barons, with the view of preventing feudal divisions, of defending the weak against the strong, and of punishing all such as took delight in desolating towns, or in destroying churches. This superior control which Roger de Poictou was called upon to exert, constituted THE HONOUR OF LANCASTER, as the new and enlarged jurisdiction began to be named; which "Honour" extended itself to all the manors and lordships, with all their appurtenances, comprehended within the new county palatine of Lancaster.

At the close of the Conqueror's reign, Roger de Poictou had the temerity, during a dispute with his liege sovereign, to declare his defection from the royal cause. This failure of duty incurred the usual penalty incidental to feudalism. The fief became liable to forfeiture, either for a limited

time, or for life, or for ever. In the succeeding reign, however, of William Rufus, the possessions of De Poictou were restored to him, so that, during several years, he re-established his jurisdiction with splendour.

§ I. MANCHESTER, AND ITS VICINITY, DURING THE TIME OF ROGER DE POICTOU.

To the aggregate of Hundreds comprised within the Honour of Lancaster, the name of "Lancashire" began to be given.

In the Salford Hundred, within which Mamecestre, or Manchester, was included, the names of five milites, or knights, infeoffed by Roger de Poictou, appeared in the Dom-Boc. These were Nigel, the founder of the baronial house of Widness and Halton, who held three hides, and half a carucate of land; while the other four, named Warin, another Warin, Goisfrid, and Gamel, possessed among them six carucates and a half. That the manor of Manchester was held by one of the said milites, or knights, has been affirmed, rather than proved. There is, at least, equal room for the conjecture, that Manchester had undergone no transfer whatever from the immediate domination of Roger de Poictou. This chieftain would stand in the same relation to the royal and inferior thegns occupying lands in the vicinity of Manchester at the time of the Conquest, as was possessed by Edward the Confessor, whom he succeeded as lord paramount of the territory between the Ribble and the Mersey. This is proved by the peculiar tenures of thegnage and drengage, enjoyed by numerous possessors of the soil in the vicinity of Manchester, even to a late period of the feudal history of Lancashire.

The tenure of thegnage appears to have involved in it the principle of relief, namely, that a fief had fallen by the death of an inheritor of lands, and that a heir, or successor, must relieve it in order to regain possession. In other words, the lord paramount claimed the power of disposing of a benefice, or fief, after the death of a tenant, and even of controlling the distribution of other possessions belonging to his vassal. If a tenant, therefore, felt anxious to obtain the confirmation of his superior, that the lands which he enjoyed should be inherited by his heir and successor, he would provide, by will, for the payment, at his death, of the Saxon heriot, or of the Norman relief. Thus, for instance, as the Dom-Boc proves, the thegns under King Edward, in the hundreds of Salford and Leyland, are said to have respectively paid two ores of denarii for two carucates of land, and, it is added, when any one wished to withdraw from the

king's land, he gave forty shillings, and might then go where he would; and if any one, at the death of his father, wished to succeed to the land, he was required to pay a relief of forty shillings; but, if he was not so inclined, the land and all the money of the deceased parent fell to the use of the king.

Such, it may be presumed, was the nature of the thegnage, by which numerous petty Saxon proprietors, in the vicinity of Manchester, had been allowed by De Poictou to retain their estates.

Other ancient, yet lesser, proprietors, who, it may be suspected, held allodial lands, that is, lands free from any feudal obligation, were induced, from motives of policy, to convert them into fiefs, in order to enable them to fulfil the requisition of the state, that every man should have a superior, to be answerable for his conduct. In this case, the allodiarium chose their own lords. During the turbulent times, so fatal to Saxon freedom, which succeeded to the Norman conquest, an additional motive influenced such proprietors to convert their allodial land into fiefs. They had need of protectors, which they immediately obtained, by creating a superior to their lands, either in the person of the lord paramount himself of the Honour of Lancaster, or of some powerful baron of the class of barones comitatûs. This policy was agreeable to the feudal principle, that every superior was under the obligation of securing his free tenant in the undisturbed enjoyment of his infeftment.

In the next place, some of these Saxon proprietors appear, in feudal records, under the name of "drenge;" a designation which has much puzzled antiquaries. Drenge appears to have held manors before the coming in of the Normans, but, at the same time, they held them from such thegns as were of an inferior class, or subordinate to principal or royal thanes, equivalent in later, or Norman times, to the barones comitatûs. Hence, by the term drengage, might have been implied the service which the holder of a fief or manor owed to some lesser thegn, who, on his part, was held in homage by some feudal superior of a more advanced rank. In this feudal sense, a dreng, when compared with Roger de Poictou, the lord paramount, who held all the lands between the Ribble and the Mersey, was a landed proprietor of the last degree of inferiority, subordination, or infeftment.

But this view is, perhaps, the best illustrated by the Dom-Boc itself. The royal thegns of the hundreds of Salford and Leyland did not, after the manner of less privileged or inferior thegns, build the king's hall, or houses, or reap one day in August, or make the hays, or stands in the woods. Their services, during a chivalrous age, were mili-

tary, and, consequently, more noble. Hence, by a parity of reasoning, the obligation of drenges, infest by these inferior thegns, must have been of a still more servile, or ignoble character.

It has been stated that, at this early Norman period, Manchester was situated in the midst of a number of Saxon thanes and drenges, who either held from the lord of the Honour of Lancaster, (not unfrequently in later times the liege sovereign himself,) or otherwise by subinfeudation, divers small tracts of land. These were to be found in many localities, such as Cheetham, Prestwich, Radcliffe, Pilkington, Middleton, &c., but they more particularly abounded in an angular tract of land, which has acquired its peculiar boundary, or outline, from the sudden bend which the Irwell makes near the ancient ford from which the town of Salford has derived its name. This semi-insulated tract was confined on the north and south by the bent course of the Irwell, and bounded on the west by the dreary waste of Ceadde's Moss, now named Chat Moss. Within this space numerous Saxon thegns and drenges had been allowed to retain their lands who were residing in the neighbourhood of Barton, Eccles, (including Trafford, on the opposite side of the Irwell,) Monton, Worsley, Clifton, Pendlebury, Pendleton, and Salford. Many of these proprietors were described in the later records of the 12th or 13th century, as holding their lands "de antiqua tenura," or, more explicitly, "in thanage," or "in drengage."

§ 2. THE HONOUR OF LANCASTER REVERTS BY ESCHATEAT TO THE CROWN.

During the course of an ensuing reign, namely, that of Henry the First, Roger de Poictou took part with his brother, Robert, Earl of Belesme, in rebellion against his sovereign. He sustained a defeat, and, having been deprived of his estates, was banished the realm. The lands which he held between the Ribble and the Mersey then reverted to the crown.

§ 3. THE HONOUR OF LANCASTER IS SAID TO BE TRANSFERRED TO RANULF MESCHINES, THE THIRD EARL OF CHESTER.

After the defection of Roger de Poictou, in the year 1102, nothing is certain regarding the duration of time when the Honour of Lancaster remained with the crown. At some unknown date, in the early part of the reign of Henry the First, the dignity was transferred to Ranulf, or Randolph Meschines, variously named De Bricasard, son of Randolph, Earl of Carlisle, by Margaret, sister of Hugh Lupus, the first Earl of Chester. Ranulf,

in succeeding to his patrimonial earldom in Cumberland, was soon afterwards induced to surrender it to Henry the First, with the view of enabling the monarch to fulfil, with the Scottish king, certain political engagements. As a compensation, therefore, for this sacrifice, he was gifted with the vast possessions and honours of the earldom of Chester, vacant by the death of Richard, son of Hugh Lupus, who had perished in his passage from Normandy to England, leaving no issue. Other concessions were also made to the newly-created Earl of Chester, among which was said to be the Honour of Lancaster, as is demonstrated in a grant to the Abbot of Evesham, which is addressed by Ranulf, "to his constable, dapifer, justiciaries, sheriffs, and bailiffs, that are betwixt Ribble and Mersey."—[A translation of the same is given in Baines' Lancashire, vol. i, p. 118.]

§ 4. THE CHURCHES OF MANCHESTER DURING THE REIGNS OF WILLIAM THE FIRST AND SECOND.

An acquaintance with the more general history of the church, during these two reigns, is important, as it will be found to bear upon subsequent local events.

Although bishops had a place assigned to them in the council of peers; although the superiority of spiritual interests was proclaimed over such as were temporal, of which principle the Roman see did not neglect to most unduly avail itself, by encroaching with its spiritual courts upon the civil jurisdiction of England, yet some resistance began to be made to the inordinate pretensions of the church; which impatience under ecclesiastical control, was aided by the conflicting claims of two rival pontiffs, Gregory and the anti-pope Guibert. William the First published several orders, which bore severely upon some branches of the papal jurisdiction, as that the royal consent should be necessary to confirm every papal constitution; that no national synod should be summoned by an archbishop, without the sanction of the king; and that no sentence of excommunication, or penance, should be declared against a baron, or officer, belonging to the king's court, without the royal consent.

As for William Rufus, his whole reign was a scourge both to church and state. By possessing the right of investiture, per annulum et baculum, this sovereign had been enabled to keep the benefices of the church in his own hands, and, in some instances, to dispose of them to the highest bidder.

But it is time to confine ourselves to events of a more local interest, regarding which, unfortunately,

little is recorded. In the Conqueror's reign, A.D. 1075, Peter, Bishop of Lichfield, within which diocese Mamecestre was contained, removed his see to Chester, but his successor, Robert de Livesey, transferred it to Coventry, from which, not long afterwards, it returned to Lichfield, yet so, that the remaining bishops were styled of Lichfield and Coventry.

As for the church, or churches, of Manchester, the only record concerning the same bears a reference to the impost of Dane-geld.

In the time of Charlemagne, as we have pointed out, the *mansus ecclesiasticus* was free from all kinds of charges and burdens; while, among the Anglo-Saxons, the estates of the mass-thane were exonerated from military and all other services. Thus, in the present instance, the land possessed by the priest, or "Kirkman" of Manchester, named Kirkman's Hulme, was not, in the time of the Saxon monarchs, burdened with any Dane-geld whatever. This imposition, which owed its origin to Danish plunderers, as a compensation for their forbearance, was in the reign of Edward the Confessor remitted. If, therefore, it be recorded in the *Dom-Boc* as a charge to which the glebe of the Kirkman was rendered liable, its revival and perpetuation are due to Norman avidity. "The churches of Saint Mary and Saint Michael," says the Domesday survey, "held in Mamecestre one carucate of land, free from all duties, or rents, except Dane-geld."

Part Third.

ECCLESIASTICAL EVENTS DURING THE BARONIAL SWAY OF THE GRESLETS, LORDS OF MANCHESTER.

In entering upon this portion of our local history it may be premised, that, during the baronial sway of the Greslets, it has been found impracticable to completely separate the ecclesiastical from the feudal state of the lordship of Manchester.

Nor has the difficulty been less to detach the events of Manchester from what took place in the adjoining township of Salford. While, on the one hand, in a civil point of view, Salford held the rank of being the chief site of jurisdiction in the particular wapentake, or Hundred, within which Manchester was included; on the other hand, the church of Manchester administered to the spiritual necessity of both towns equally.

With this explanation, a series of chapters will be devoted to the annals of each successive baron

of the Greslet family, possessing the patronage and influencing the destinies of the church, or churches, of Manchester.

CHAPTER I.

ECCLESIASTICAL EVENTS DURING THE BARONIAL SWAY OF ALBERT GRESLET, LORD OF MANCHESTER.—TEMP. HENR. I.

In the course of this chapter it will be shewn, that while the town and wapentake of Salford were gifted to William Peverel, lord of Nottingham, certain lands forming the whole or part of the lordship of Manchester, were granted to Albert Greslet.

§ 1. THE TOWN AND WAPENTAKE OF SALFORD GIFTED TO WILLIAM PEVEREL, LORD OF NOTTINGHAM.

Although De Meschines had succeeded to the jurisdiction exercised by Roger de Poitou over the barones comitatús inheriting lands between the Ribble and Mersey, it is not to be supposed that he was gifted with all the estates, or demesnes, within the Honour of Lancaster, which his predecessor had enjoyed. A great share is said to have been bestowed upon William Peverel, whom some genealogists have regarded as the base son of the Conqueror, while others have affirmed, that his father, Ranulph, had wedded a concubine of William Duke of Normandy, and that the children, in consequence, were allowed to bear the name of Peverel, in common with the actual illegitimate son which this female, previous to her marriage, had borne to the Conqueror.

William Peverel had custody of the castle of Nottingham. In the time of the survey he held numerous lordships in England. In 1102 he succeeded to certain of Roger de Poitou's possessions, among which, as we are assured by Kuerden, who refers to various records examined by him, were the town of West Derby with the wapentach, the borough of Liverpool, the wapentach of Leyland, the town and wapentach of Salford, &c.—[Kuerden, apud Baines, *History of Lancashire*, vol. iii, p. 392.]

By the term "town and wapentake of Salford," nothing more was meant than that William Peverel, along with the lands of the township, held conjointly the jurisdiction of the extensive shire, or Hundred, to which the ford across the Irwell had imparted its name: Wapentachium, nomen jurisdictionis Hundredo analogæ, in quibusdam Angliæ comitatibus occurrens; datum, ut nonnulli volunt,

quod homines intra talem circuitum commorantes, in usu et exercitio armorum temporibus præstituti instructi essent.

Dr. Bosworth, in corroboration of this view, derives the name of wapentake from "wæpen" a weapon, and "tæcan" to teach, conceiving that the inhabitants within such a division of a county were taught the use of arms. The popular or vulgar notion, however, (probably an erroneous one,) of the term "wapentake," is, that it is derived from "touching," or confirming with weapons. The chief rode forward in arms to the place of the wapentack. The elders met him. He alighted from his horse and held up his spear. Whoever with his spear touched that of the lord, was bound to him in one common interest.

§ 2. WILLIAM PEVEREL, LORD OF THE TOWN AND WAPENTAKE OF SALFORD, FOUNDS THE ABBEY OF LENTON, IN NOTTINGHAMSHIRE, WHENCE THE INTRODUCTION OF CLUNIAN MONKS TO THE VICINITY OF SALFORD AND MANCHESTER.

As the Clunian abbey of Lenton will be frequently adverted to in the course of this history, some little notice of the origin of the Clunian houses in England may prove useful.

Bernon, the founder of a reformed rule, was of the family of the Earls of Burgundy. He received the first rudiments of a religious life in the monastery of Saint Martin of Autun.

Owing to the invasions of the Normans, and the wars between the sons of Louis le Debonnaire, so great a relaxation had ensued of the regular observance of the monasteries, that the very name of the rule of Saint Benedict became scarcely known. Rodolphus, or Raoul, King of the Transjuran Burgundy, was anxious to restore the discipline of the religious houses, and, with this view, conferred the government of the abbey of Beaume upon Bernon, as an interim charge, until he should have completed the building of the monastery of Gigni, in Burgundy. This monastery was finished in the year 895, where it is supposed the founder took the monastic habit. The blessed Bernon, who was the destined abbot, then received from Pope Formosus the necessary charter of confirmation.

But the system of reform thus commenced, was not completed before the year 912. Odo, or Saint Odillon, the Abbot of Clugni, is generally considered as the restorer of the order of Saint Benedict, having perfected the renowned Clunian order. The monks wore a black habit, and, in acknowledging the Benedictine rule, were subjected to the

Clunian modification of discipline. Subsequently, the reformed order became famed throughout the whole of Christendom. William, Earl of Warren, son-in-law to William the Conqueror, then sought to introduce the discipline into England, and, for this purpose, invited over some foreign monks, who, in the year 1077, established their first house at Lewes, in Sussex. The community, thus organized, then became pledged to foreign rule and surveillance, which was exercised over them in the visitations emanating from the Abbot of Clugni.

Early in the reign of Henry the First, supposed to be before the year 1108, William Peverel, lord of Nottingham, followed the example of William, Earl of Warren, by building the priory of Lenton, in Nottinghamshire, which he gave to God and the church of Clugni, and to Pontius, the abbot there, and his successors; yet, so that it should be free in paying a mark of silver yearly as an acknowledgment. He also endowed this monastery with the town of Lenton and its appurtenances, &c., &c., granting whatsoever his homagers should bestow upon it for the benefit of their souls.—[Dugdale's Monasticon, ed. 1825, vol. v, p. iii, preface, where the various authorities for this abridged account are cited.]

Such was the foundation of the Clunian priory of Lenton by William Peverel, lord of Nottingham, who, it must now be remembered, had added to his immense possessions a later gift of lands between the Ribble and the Mersey, by which he became lord of the town and wapentake of Salford. This circumstance may have contributed to the introduction of Clunian monks from Lenton to the immediate neighbourhood of Salford and Manchester, as will be further shewn, when we have to notice the lands given to a religious cell at Kershal. But, in the mean time, certain rude ecclesiastical remains present such incontestible evidence of having been an oratory attached to some cell or hermitage, as to afford strong ground for suspicion, that previous to the residence of Clunian monks in Kershal, they had obtained, under the auspices of their great patron, William Peverel, a settlement at Ordeshal, close to the town of Salford itself.

It has been already stated, that there once existed a causeway across the river Irwell, styled Woden's ford, which derived its name from a contiguous Saxon temple dedicated to the rites of Odin, and thence designated "Woden's Den." The subsequent conversion of this pagan cave into a Christian oratory, is evident by the rude figures of shields, crosses, and various ecclesiastical ornaments which were rudely carved on the face of the rock. But why this particular site was selected

and consecrated for the sphere of monastic usefulness, is not so evident. It will be the object, therefore, of an ensuing attempt at explanation to point out, that as the river Irwell was liable to great and sudden inundations, the care of its difficult and hazardous fords might have been undertaken, as an office of pious mercy, by holy men selected from the Cluniac priory of Lenton, under the encouragement of their great patron, William Peverel, lord of the town and wapentake of Salford.

§ 3. WODEN'S CAVE, AT ORDESHAL, SUPPOSED TO HAVE BEEN CONVERTED INTO A CHRISTIAN ORATORY BY CERTAIN CLUNIAC MONKS OF LENTON.

The Saxon etymology of Ordeshal may not, perhaps, be difficult. ORD, in composition, means "primeval," or "very old;" and HAL, "a hole," or "den."—[Bosworth's Anglo-Saxon Dictionary.] The term Ordeshal may, therefore, be rendered "the very old den, or hole."

Of this cave, the following account has been given by the late Mr. Thomas Barrett, who, about sixty years ago, took a drawing of it when it was in a state of tolerable integrity. "In the lane leading to Ordsall Hall, once a seat of the Radcliffs, and in the lane leading to that ancient mansion on the right hand, almost facing Hulme Hall, are the mouldering remains of a rocky cell, which may, perhaps, be worth the notice of a curious age, and more so if we could trace out the perfect knowledge of its use. In an old writing in the possession of [Dautesey Hulme, Esq.,] which describes the boundary of a certain portion of land thereabouts, it says, 'by Worden's ford and Worden's den.'

"Worden's or Woden's ford is a paved causeway across the river Irwell from Hulme-field, where Medlock loses itself in the aforesaid river, to the opposite bank, but now lost to every observer since Irwell was made navigable.

"Worden's den is the spot I wish to throw light upon, although obscured by the darkness, perhaps, of many ages. Tradition supposes it to have been the den or woody habitation of the priest or priests of Woden, the much esteemed war deity of the idol Saxons." * * * *

"What might be the extent, or bounds, of this supposed idol temple, or place of sacrifices, we know not; but certainly it was once of a much larger extent. What remains of its height is now about six feet, and the length of the whole, as it now appears, [is] about twenty-two yards.

"At the south, and near the great tree, as may be seen by referring to the drawing, is a hole about three feet wide, much resembling an oven, and

near the middle is another excavation, not so deep in the rock as the former, at the northern extremity.

"The margin of the rock, just above the surface of the earth, is ornamented with a sort of irregular gothic tracery, and gently curves into a cavity of above double the size of the [aforesaid] recesses.

"The range of rock is all along shaded with overhanging bushes, which much obscure the same from the notice of passengers.

"Admitting the above to have been a devoted place for pagan superstition in the Saxon times, it again presents itself under the character of a place dedicated to the retirement and devotion of a professor of Christianity. On one part of the rock much labour hath been bestowed in ornamenting it with rude characters, which have been called Runic, but which plainly appear, upon close examination, to have the letters J. H. S., the latin initials of Jesus the Saviour of men, in rude church text. The above letters shew themselves in three or four places, and, in one part, the letters appear about three feet long a-piece.

"Some few shields ornamented with crosses may be seen in different places wrought upon the rock. Near the south end are the faint remains of a shield, with the like of a sword handle near it.

"At what period of time a change of worship happened here I cannot say, but many places devoted to heathen worship were afterwards dedicated to Christianity." * * * *

"There is a portion of ground lying near Worden's den called Oldfield,—but in old writings of several centuries back, which I have seen, it is there called Houldfield, which plainly imports a place of strength." * * * *

This extract, from the late Mr. Barrett's manuscripts, includes the whole of the actual description of the site, but omits some of the speculations which are interspersed in the account.

About forty years ago, before the cave had been destroyed by a former tenant (with the view of saving a contemptible slip of ground from antiquarian trespasses), I was enabled to confirm the accuracy of Mr. Barrett's account, with the exception of the letters J. H. S. It was from these fanciful characters that the writer assigned to the cave a later date, by three or four centuries, than that which is now supposed. But even granting that the letters J. H. S. did actually exist (which, I am convinced, did not), no Christian temple, however old it might have been, was exempt from innovations of a much later date than that of its origin.

On the supposition, then, that the conversion

of Woden's den into a Christian temple bears a reference to the first settlement of a few Cluniac monks in the immediate vicinity of Salford and Manchester, most probably invited over by William Peverel, the next question relates to the particular motive which could have arisen for selecting this site as one that recommended itself for the purpose of an oratory, attached to a Christian cell, or hermitage.

This question cannot be answered without reverting to a period even anterior to Christianity. It will be necessary to inquire,—why the pagan Saxons themselves thought fit to propitiate their deity by the excavation of a den, which invited offerings or sacrifices preparatory to crossing the ford of the river Irwell?

Now it must be kept in view,—that the Irwell is subject to floods, which, often with an almost incredible activity, have been known to rise in a single night to the height of sixteen feet above the average level of the waters, and, occasionally, to attain no less than twenty-four feet. Whenever this rise has occurred, a large compass of low ground has been overflowed to an extent varying, in each direction, from five to ten miles within a space north-west of which the Irwell makes a great bend, and of which the site of Stretford is vaguely the centre. This tract may be generally described as extending from the higher grounds of Manchester, Gorton, and Denton, on the north-east, to the stream of the Mersey on the south, as it flows from Northenden, in a westerly direction, to the point, near Cadishead, where it receives the tributary waters of the Irwell. Through this intervening space numerous small streams, such, for instance, as the Gorebrook, slowly meander, rendering it, even in summer, a tract of swampy meadow or mossy soil, such as is still shewn at Trafford Moss and Hoozend, the geological character of which has been nowhere so well described as by a humble and anonymous minstrel of the reign of James the First:

From Winchester he's gone with speed,
Well mounted on his stately steed,
Until at length to the HOOZEND he came.

Then did he ride through a cloudy desert wild,
Frequented by no man or child,
Where stately trees have lain since Noah's flood,
Firwood and oak there to be found,
All in that deluge, there renown'd,
Deep buried there within that trembling mud.

FROM THE ANCIENT BALLAD OF TARQUIN.

But it is not to be supposed that this dreary waste was entirely devoid of fertility. Verdant spots of pasture land occasionally appeared, which were more or less surrounded by sluggish streams,

or waters, whence they acquired the name of Holmes, or Hulmes,—a term expressive among the Saxons and Danes of sea, or river islands, or of green insulated plots of ground just rising above the waters. Among these was THE HULME, partly formed by the Medlock, the name of which is imparted to a populous suburb of Manchester. There was also Rushulme, Kirkmanshulme, Levenshulme, or Davyhulme, with many others. The tract thus diversified by green patches of drier land, must, in a flooded state, have often bid defiance to the Roman or Saxon engineer in the construction of river paths, or causeways. Of the fords near Manchester, used in the earlier times, was Stratford, or "the Street Ford," across the Irwell, the pass of which was deemed so important as to give rise to a station, named, in the Roman itineraries, "Fines Maximæ et Flaviæ." Another ford was the "Woden's Ford," of Ordsal; while a third was "Salford," or the safe ford.

By thus keeping in view the ancient inundated state of the tract described, and the hazardous character of the fords over the Irwell and Mersey, during even a moderate rise of the rivers, it is easy to suppose that in the time of Odinism, the cave at Ordsal would invite sacrifices to the Saxon god previous to attempting the swollen ford of the Irwell, named Woden's ford, which, on such occasions, must have been breadthened out to an extraordinary extent.

At a later period, although paganism gave way to the exhortations of the holy Paulinus, it is well known that many superstitions continued unconquerable, among which was the influence ascribed to Odin, in shielding the wayfaring traveller while encountering the perilous "accidents of flood and field." The eradication of such a faith became the office of pious and active monks, as, for instance, those whom William Peverel, lord of Nottingham, the great benefactor of the Cluniac rule, is supposed to have selected and brought over with him from the abbey of Lenton to the vicinity of Salford. Holy men of this order would convert the den of Woden into an oratory, in order that tokens or professions, made to the god of the Anglo-Saxons, might be exchanged for prayers and oblations to Christian saints. They would, also, undertake the charge of furnishing escorts; or would even themselves act as guides across the deceitful marshes formed of "trembling mud," which, not earlier than three centuries ago, suggested to the imagination of the minstrel "a cloudy desert wild," through which the Lancelot du Lac of Manchester legends, is made to wander in quest of the giant Tarquin.

§ 4. THE WHOLE OR PART OF THE BARONY OF MANCHESTER GIFTED TO ALBERT GRESLET.

Having described various events which are supposed to have taken place at unknown dates, soon after the latest defection of De Poitou, it may be lastly observed, that a large tract of country was conceded to Albert Greslet, forming the whole or part of the barony of Manchester.

Genealogists are at variance regarding the pedigree of Greslet, Grelle, Grelley, or Gresley, &c.

By some writers the race is derived from Nigel, the younger of the two sons of Roger de Toeny, standard bearer of Normandy, who was descended from Malahulcius, uncle to Rollo, Duke of Normandy. Nigel is acknowledged to have been the direct ancestor of the family of Gresley, in Derbyshire.—[See the authorities quoted in Mr. Whatton's Memoir on the family of Grelley, published in the *Philosophical Transactions of Manchester*.]

Others connect the family with the Greillys of the county of Gex, near Geneva, from whom was descended Gaston de Foix, created Earl of Longueville by Henry the Fifth, and John de Foix, who, in a succeeding reign, was Earl of Kendal and lord of Greilly, &c.—[*Peerage of England*, A.D. 1711, vol ii, part ii, p. 168.]

The question of origin still remains in the most unsatisfactory state.

Albert Greslet, supposed by Kuerden to have been the first baron, or lord of Manchester, was a favourite of Roger de Poitou, who, when the Dom-Boc was in the process of being compiled, received grants from him in the counties of Norfolk, Lincoln, and Nottingham. About the year 1086, he held, conjointly with Roger de Busli, lands in the hundred of Blackburn, between the Ribble and Mersey, though for a limited term only, namely, for three years. These lands were exempt from all rent.

It is highly probable that, if Albert Greslet cannot be proved to have ever had anything more than a transitory interest in the Blackburn district, he held for a permanent grant a contiguous lordship on the Amounderness side of that part of the Ribble which bounded the north of the Hundred, namely, Brockholes; this grant having ever been deemed of so remote a date in the Norman era, as to precede any written record.

Upon the defection of Roger de Poitou, the Hundred of Blackburn became consigned to Ilbert de Lacy, lord of the Honour of Pontefract. At the same time, Busli and Greslet had confirmed upon them new and important fiefs. While Busli became the baron of Penwortham, Albert Greslet's possessions must be looked for in the Hundreds of Leyland and Salford conjointly.

But here let us pause.—The extent of Albert Greslet's original territorial acquisitions between the Ribble and the Mersey is most imperfectly handed down to us. It is probable, and nothing more, that, in an early part of the reign of Henry the First, he possessed, in addition to Brockholes in Amounderness, certain lands in Leyland, and in a wide circle of territory within Salford Hundred, of which Horwich Moor was the centre. During a later period of baronial history, these allotments of territory constituted what was named "the Upper Bailiwick" of the lordship of Manchester. Whether Albert Greslet's possessions extended to the manor itself, or lower bailiwick of Manchester, has been affirmed by some writers, and denied by others. For this reason, the details of the baronial territory, under the sway of the Greslets, may be more safely transferred to the less dubious period of Albert's heir and successor.

§ 5. THE PARISH WITHIN WHICH MANCHESTER WAS SITUATED.

At this particular period we are as little acquainted with the state and extent of the parochial, as of the manorial lands encompassing the town of Manchester. Ecclesiastical boundaries were undefined for this reason, that the proselyting system, whereby the lands between the Ribble and the Mersey were in the course of being parochialised, wanted much of its completion. The only mode of propagating Christian truths was by a system of missions concerted within the precincts of an episcopal see, in which even the bishops themselves took an active share, by the annual ambulatory visits which they paid to every group of householders.

The first indication of a change of system arose from the inability of bishops to attend to all the ministrations of religion, and hence, as Bede has remarked of Northumbria, the appointment of assistant presbyters and teachers, and the encouragement given to building churches at a distance from the site of the cathedral. Churches then became adapted not for ambulatory, but for resident priests. Yet still, as authors have remarked, these were so few in number as to give their names to the localities where they were to be found. Thus, in the circuit round Manchester, there arose Eccles, from "ecclesia," the church, to which tradition has assigned a date previous to the Conquest; and Prestwich, the priest's "wic," or town.

After rural churches had thus sprung up, the subdivisions of territory, to which we give the name of parishes, began to be formed. But

nothing can be more vague and uncertain than the multifarious causes which originally determined parochial limits. In the case of Manchester, the original parish, as Whittaker supposed, had most probably been commensurate with the extent of the thegnland. In other instances, the compass of the parish was determined by the district throughout which the priest received the confession of his flock, whence the Anglo term *scrit-scir*, or the share [district] of the confessor, and *preost-scyre*, or the priest's share. In a more general sense, the term parish (little used before the end of the twelfth century,) implied the territory which was subject to any ecclesiastical superintendence whatever, and in this meaning it was even synonymous with a diocese. The distinction was only made when a division of parishes had actually taken place. Episcopal visitations were then parochially undertaken.

§ 6. THE DIOCESE WITHIN WHICH MANCHESTER WAS CONTAINED.

At the end of the eleventh century, an order had been promulgated in England for all bishops to remove to the greatest cities in their respective dioceses; and as Lichfield, the original seat of the Bishop of Mercia, was a place of little or no civic importance, one of the bishops, as I have shewn, had removed his see to Chester, (the ancient *castrum* of the Twentieth Roman Legion,) and was then styled Bishop of Chester. But the site of this ancient city not having been sufficiently central for the functions of episcopacy, the see had been subsequently transferred to Coventry.

In the time of Henry the First, however, the see was brought back to Lichfield, which became the capital of three sees, namely, Lichfield, Coventry, and Chester, but, in reality, of one bishopric only, to wit, of Lichfield and Coventry, within which Manchester was comprehended.

CHAPTER II.

EVENTS DURING THE BARONIAL SWAY OF ROBERT GRESLET, THE SECOND LORD OF THAT NAME.—TEMP. HENR. I., ENDING A.D. 1135.

The date is perfectly unknown when Albert Greslet died, and, consequently, when Robert, his son and heir, succeeded, as second baron, to the honours and estates of his father.

In the same degree of uncertainty is involved the period during which the lordship of Manchester was held immediately from the crown. In the reign of Henry the First, the Honour of Lancaster, formerly enjoyed by Roger de Poitou,

to whom the *barones comitatûs* owed fealty, no longer appears in the family of the Earl of Chester, but is said to have been gifted to Stephen de Blois, Earl of Mortaigne and Bolloigne [*Comes Boloniæ et Moritonæ*], before he became king.

§ 1. EXTENT OF ROBERT GRESLET'S BARONY.

However uncertain might have been the proof that the possessions of Albert Greslet extended from Leyland Hundred to the district of Manchester, the doubt does not apply to Robert Greslet, the son. He is recorded, from ancient documents cited by Keurden, to have given to Matthew Stauersides a knight's fee within his manor of Manchester.

The limits of Robert Greslet's lordship may now be stated.

It has been explained that Albert Greslet, the father, had a temporary tenure of lands from Roger de Poitou, which he afterwards surrendered for durable infeftments in Leyland Hundred, and elsewhere. But it would appear that Robert Greslet, the son, possessed for a permanent grant Brockholes in Amounderness, situated on the banks of the Ribble, opposite to Blackburnshire.

In the north of Leyland Hundred the Greslets enjoyed a detached fief, Burnhill, or Brindhill, so named, most probably, from having been the site of an ancient beacon station. In the south of Leylandshire, the acquisitions of the family may be enumerated as follows: Walsewythull, Duxbury, Charnock-Gogard, Worthington, Coppull, Adelventon (or Adlington), Shevington, and a knight's fee in Dalton, Wrightington, and Parbold.—[From Kenion's MSS].

In the next place, either Robert Greslet, or his father, added to his lands, in Leyland, an extensive hunting ground in the adjoining hundred of Salford, which stretched in a southerly direction from the high grounds in the neighbourhood of Anglezack and Sharples, where they border upon Blackburn Hundred, to the vicinity of West Houghton, Kersley, Middle Wood in Hulton, and Farnworth, a distance of ten miles; while the breadth of this ground, of which Horwich Moor was the centre, varied from six to eight miles.

The tract of land thus acquired by the Greslets, forming the north-westerly district of the hundred of Salford, included, as we trace the territory from north to south, Anglezark, Sharples, Longwith, Rivington, Turton, Smithel, Halliwell, Harwood, Little Lever, Bradshaw, Horwich, Heton, Lostock, Rumworth, Pilkington, Dean, Aspull, West Houghton, Hulton, and Farnworth.

Much of this last described acquisition was dedicated to the chase, and must, therefore, have been particularly acceptable to the taste of the Norman adventurers. Among these semi-barbarians, to use the language of Guizot, there was no industrial activity. Gaming, banquets, and coursing, constituted the chief occupations of feudal life. Hence the value placed upon the jurisdiction of forests, the right of hunting, or the absolute possession of hunting ground.

The baronial lands, thus cited, acquired, at a subsequent period, the name of the upper bailiwick of Manchester.

To the south-east lay the lower bailiwick, of which the town of Manchester was the centre. With the upper bailiwick it appears to have had very little natural connexion; a narrow junction of the two bailiwicks being with difficulty traceable in the neighbourhood of Little Houghton, or Worsley, owing to the intervention of many distinct, yet small proprietorships held by the ancient tenure of thanage, or drengage. Consequently, when Robert Greslet, or his father, was allowed to add to his Lancashire acquisitions the lower bailiwick of Manchester, he must have possessed, in the latter appendage, a tract of country the limits of which would be in an extreme degree irregular.

The boundary of the lower bailiwick of Manchester is best followed by commencing at Alport, or the old town of Manchester, near the confluence of the Irwell and the Medlock. From this point the line seems to have been carried on to Strangeways. Thence, in quitting the Irwell, it extended eastward, in a desultory or zig-zag manner, towards Blackley, Alkrington, and thence, south-east, to Ashton-under-Lyne. In reaching this last point, the boundary then followed the course of the Tame as far as the confluence of this river with the Mersey, near Heaton Norris. Subsequently, the line was conducted west along the course of the Mersey, by Didsbury and Urmston, until it reached the confluence of the Mersey and Irwell, near Cadishead; and thence, north-east, by the Irwell, until it regained Alport and Manchester.

The space thus enclosed, which formed a most irregular tract, would vary from four to even sixteen miles in extent.

§ 2. THE MILL OF MANCHESTER IS GIFTED TO THE ABBEY OF SWINESHEAD, IN LINCOLNSHIRE.

It is doubtful if Robert Greslet ever resided at Manchester. From his partiality to the Lincolnshire possessions which had been confirmed to him by his sovereign, he gave, in aid of support

to the abbey of Swineshead, his mill at Manchester. The date of this grant is recorded at 1131, the 31st of Henry the First. In the annals of Peterborough and Parco Lude, Swineshead Abbey (cœnobium Bernardinorum) is said to have been founded by Robert de Greslei, in 1134.

§ 3. DEATH OF ROBERT GRESLET.

The demise of this baron took place at the close of the reign of Henry the First, about 1135. He is supposed to have been interred within the walls of the monastery which he founded at Swineshead, in Lincolnshire.

CHAPTER III.

EVENTS DURING THE BARONIAL SWAY OF ALBERT GRESLET [SENEX], THE THIRD LORD OF THAT NAME.

Before entering upon the events of this period, some brief notice may be acceptable of the general state of the English church, with the view of better comprehending the events of our local history.

In the reign of Henry the First, controversies had arisen from the different views which had been entertained of the respective limits of the ecclesiastical and civil functions, but more particularly as they were concerned with the appointment of bishops. This election, which, in a primitive state of the church, had been consigned to the clergy and the people, was now interfered with by royalty, while the revenues of the church were disposed of to the advantage of the crown. In another dispute, however, the church was more successful. The pope, as chief pastor, claimed the privilege of visiting by his legates the several churches of Christendom, to which Henry replied, that the right so claimed was a prescriptive privilege, which in England could not be exercised except through the medium of her own metropolitan. But as the king professed himself in other respects disposed to acknowledge the legatine surveillance, the pontiff conceived that enough had been done to vindicate the prerogative of his chair; and, therefore, in order to meet the exigency of the case, he conferred the legatine authority upon the Archbishop of Canterbury. Henry, in acknowledgment of this concession, directed that the church should be declared free, and that its lands should neither be sold nor be placed at farm.

Such was the general state of the church previous to that period of our local history, when Albert, the third Baron Greslet, became lord of Manchester.

Albert was distinguished from his son of the same name by the addition of SENEX. He appears to have succeeded to his father, Robert Greslet, either at the very close of the reign of Henry the First, or at the commencement of that of Stephen.

§ 1. ALBERT GRESLET [SENEX], BY HIS MARRIAGE WITH A DAUGHTER OF WILLIAM FITZ-NIGEL, CONSTABLE OF CHESTER, OBTAINS CERTAIN MANORS IN THE LORDSHIP OF WIDNESS.

It was in the time of Albert Greslet [Senex] that the Greslet family are reported to have possessed manors in the lordship of Widness, situated in the south of the West Derby Hundred. This lordship is supposed to have originally proceeded out of the Honour of Roger de Montgomery, father of Pictavensis. A daughter of Roger de Poitou married Nigel, who became the first baron of Halton and Wydnass. His son, William Fitz-Nigel, who was constable of Cheshire in 1086, and died before 1133, left behind him two coheiresses, Agnes and Matilda [or Maud]. Agnes became the wife of Albert Greslet, while Matilda was married to Eustace, son of John de Burgo [Monoculus]. Eventually, the son of Eustachius de Burgo, Richard Fitz-Eustace (the progenitor of the Lacy family), shared with Albert Greslet certain estates, being part of the barony of Widness, in the West Derby Hundred. Albert Greslet's portion, with which alone this history is concerned, comprised Raynford (?), Childwal, Cuerdley, Allerton, Gars-ton, and Hale.

This addition of property, in or near Widness, formed, at a subsequent period, part of the upper bailiwick of the lordship of Manchester.

The influence of the family of Greslet in Lancashire had, at length, attained its culminating point. Their possessions might be traced from Amounderness, Leyland, and Widness, to the most southerly part of the wapentake of Salford. From this time, owing to the drains of money and men required for the support of expensive wars, much of the land began to be subfeudalised, and, eventually, to pass into other hands, subject also to the establishment by Henry the First of the right of heirs, who were not to redeem their lands, as had been previously done, but only to pay their proper relief.

§ 2. THE CHURCHES OF MANCHESTER ARE RELIEVED FROM THE DANE-GELD.

Stephen, the son of the Earl of Bloys, by Alicia, daughter of the Conqueror, had, by base intrigues, obtained possession of the crown to

the prejudice of the daughter of Henry's first marriage, the Empress Maud, so named from her first husband, the Emperor Henry the Fourth. As it was found necessary, therefore, to conciliate the clergy and the nobles to this usurpation, Stephen undertook by an oath, approved of by Pope Innocent, that he would preserve the liberties and properties of the church inviolate. But his oath was soon forgotten. He seized at pleasure upon the ecclesiastical revenues of the church, bestowed them upon laymen, or sold them to strangers, and even imprisoned bishops until they had consented to surrender their lands.

One concession, however, wrested from Stephen during his difficulties, remained permanent. During the Saxon period, the churches had been free from the imposition of the Dane-geld:—it was declared, in the middle of the tenth century, that "no man was to presume to lay any tax on the possessions of the clergy, and that the sons of God ought to be free from all taxes." But William the Conqueror had revived the odious tax of Dane-geld, which had been levied upon all lands of the realm, not even excepting the glebes of churches. "*Ecclesia Sanctæ Mariæ et ecclesia Sancti Michaelis tenebant in Mamecestre unam carucatam terræ quietam ab omni consuetudine præter geldum.*"

Stephen, however, to the joy of his subjects, for ever remitted this tax collected by his predecessors, which had amounted to two shillings for every hide of land.

§ 3. THE TOWN AND WAPENTAKE OF SALFORD ARE TRANSFERRED FROM THE POSSESSION OF WILLIAM PEVEREL TO THAT OF RANULPH GERNONIIS, THE FOURTH EARL OF CHESTER.

During the protracted and just claim which Maud the empress set up for the throne of England, William Peverel, lord of Nottingham, joined the army of Stephen, and, at the Battle of the Standard, greatly distinguished himself against the King of the Scots.

From this time, infinite was the distraction in the civil affairs of England, from which no county was free. Everywhere adulterine castles, as they were named when founded without the authority of the crown, sprang up, while lands were transferred from one contending party to another in so confused a manner, that it is difficult, if not impossible, to trace correctly the sequence of infestments. Between the Ribble and the Mersey, the possessions which had been conceded in a former reign to William Peverel, lord of Nottingham, were the most strenuously disputed by Ranulph [Gernoniis], the fourth Earl of Chester, whose

father, Ranulph Meschines, had, in a former reign, been gifted with much property in Lancashire, among which was the town and wapentake of Salford. During the long struggle of Stephen with his barons, in the course of which William Peverel, as well as his sovereign, fell into the hands of the earl of Chester, the Lancashire estates possessed by the illegitimate son of the Conqueror changed hands, and were seized upon by the successful besieger of Lincoln, where the royal standard had been planted.

William Peverell, who lived until the 7th of Stephen, was succeeded by his son William Peverell, the younger.

§ 3. (a) THE CONFIRMATION BY WILLIAM PEVEREL, THE YOUNGER, OF HIS FATHER'S GIFT OF LANDS TO THE CLUNIAN MONKS OF LENTON.

Before describing this event in connexion with the origin of the cell of Kershall, some brief explanation may, with propriety, be given of the genealogy of the Peverel family, whose ancient possessions in Lancashire meet with little or no record among Lancashire historians,—the brief notices of Keurden comprising what little we know of this part of our local history.

A great confusion prevails among most genealogists regarding the families of the two Peverels of the Domesday Book, Ranulf and William Peverel,—in which confusion the account given in page 9, in some degree partakes. But, by the aid of the researches of Mr. Ellis, in his "Introduction to the Domesday Book," vol. ii, p. 466-7, I have been since enabled to arrive at a little more precision.

It would appear, that before the conquest of England, the daughter of Ingelric (which Ingelric was the founder of the college church of Saint Martin le Grand, London,) had been the concubine of William, Duke of Normandy. The issue of this connexion was an illegitimate son, William Peverel, who lived until the 7th of Stephen. He was in great trust with the Conqueror;—he had the castle of Nottingham;—he possessed lands in Berkshire, Bucks, Oxford, Bedford, Northampton, Leicestershire, Derbyshire, and Nottinghamshire, —and he founded the priories of Saint James, near Northampton, and of Lenton, to which the cell of Kershall, near Manchester, was afterwards annexed. That he possessed lands in Lancashire, of which there can be no doubt whatever, is given on the authority of Keurden. The Messrs. Lyson remark that the lands of William Peverel passed out of the family at a very early period.—Hence the

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very little information handed down to us of the possessions which he enjoyed in Lancashire, particularly in the Salford Hundred.

In page 9, this William Peverel is surmised, on the authority of the older genealogists, to have been a son of Ranulph Peverel. But this is a mistake. Ranulph Peverel was the husband whom the concubine of the Conqueror afterwards married, —the name of Peverel being also given to the illegitimate son of William the First, from whom several families, likewise of the name of Peverel, descended. About, or soon after the time of the survey, Ranulf Peverel held lordships in Berks, Oxford, Salop, Norfolk, Suffolk, and Essex.

William Peverell, who died in the 7th of Stephen, had a son of his own name, who was distinguished from the father under the name of William Peverell, the younger.

We are informed that King Stephen being at Nottingham, at the earnest entreaty of William Peverell, the younger, supported by that of Oddina, his wife, and of Henry, his son, confirmed what William Peverell, the father, or William himself, or any other benefactors had done to the Clunian monks of the priory of Lenton, and to the church of the Holy Trinity, also in Lenton.—[A reference is made to the "Guichenoni bibl. Segusiana Lugd. 1660, 4to., p. 442, ex cartulario antiquarum ecclesiarum Cluniacensium."]

§ 3. (b) HUGO DE BURUN GRANTS LANDS TO THE PRIORY OF LENTON, AND AFTERWARDS BECOMES A MONK OF KERSALL, NEAR MANCHESTER.

In the 9th of Stephen, Hugh de Burun was lord of the castle of Horestan, in the county of Derby. He was the son either of Erneis de Burun, who had large estates in Yorkshire, or of Ralph de Burun, who held lands in the counties of Derby and Nottingham;—probably of the latter.

The same Hugo de Burun had two sons, Hugh and Roger, who, in succession, possessed by heirship the lands of their father, and, with their united consent, he gave the church of Horseley, in Derbyshire, and Cotegrave, in the same county, along with other possessions, to the prior of Lenton.

The pious gift of Hugo de Burun was doubtless in anticipation of his taking religious vows, and becoming a Clunian monk of Lenton. Eventually, however, as appears from a later charter hereafter to be cited, he retired, at some unknown date, to a sequestered valley about three miles north of Manchester, on the banks of the river Irwell, which bore the name of Kershall, becoming the first

monk of a Cluniac cell which owed its foundation to Ranulph Gernons.

It has been surmised that Hugo de Burun himself gave lands in the neighbourhood of Kelsall to the monastery of Lenton. But there is no evidence to be adduced in support of such an assertion. The original possessors of lands in that locality appear to have been the Peverels, father and son, and the Hulton family. Most probably Hugo de Burun had obtained the permission of some landed possessor to seat himself at Kersal, as a solitary recluse; and when, by a charter of foundation granted to the Cluniac cell of Kersal, this hermitage became an appendage to the priory of Lenton, Hugo de Burun, its first monk, would be joined by other brethren, over whom he would preside, to a number not exceeding twelve. But it must be observed, that with the circumstances inducing Hugo de Burun to become the first monk of Kersal, or even with the exact date of his retiring to this secluded spot, we have no information whatever.

§ 3. (c) CONJECTURES ON THE REASON WHY ALL TRACES OF THE HISTORY OF THE CAVE OF ORDESHAL ARE LOST.

I have surmised that the cave of Ordeshal, originally dedicated to Odinism, was converted into a Christian chapel by a few monks of Clugni, brought over from Lenton by William Peverel, the great benefactor of that monastery. That Hugo de Burun, the first recluse of Kershal, was of their fraternity has been likewise explained. It is highly probable, therefore, that after the cell of Kershal was brought into repute by the admission within it of so influential a character and patroniser of the rules of Clugni as Hugo de Burun, the chapel of Ordeshal would fall into proportional neglect. And hence the reason why the history of this Christianised cave would be lost amidst the gloom of a remote antiquity,—such as obscures the annals of Lancashire as far down as the close of the reign of Stephen, or even later, to the time of Henry the Third.

No traces whatever of this ancient cave are now to be detected. At the commencement of the present century the whole of the carvings upon the face of the rock were obliterated, in order to obviate antiquarian trespasses. It would not be easy to find at the present day many instances of such gothic profanations. The obliterator was a Manchester dyer of the name of Hall, and, if a bad pun be allowable,

— Take him for Hall in Hall,
We shall not look upon his like again.

Latterly, the destruction of the Ordeshal cave has been completed during railway excavations and fillings up, previously to which my son, Mr. Hibbert Ware, of the Middle

Temple, made a drawing of the cave as it absolutely subsisted, and faithfully transferred to the same the various configurations and hollowings as delineated by the late Mr. Barrett in a sketch remarkable for its bad perspective. In this task I lent some little assistance, owing to the very vivid recollection which I still possess of the cave in its former state of integrity. It happened that before the cave was filled up by earth, my antiquarian friend, Captain Jones, of the Royal Lancashire Militia, took the dimensions of the site, which differ so widely from those given by Mr. Barrett, or which fall within my own recollection, as to shew that much of it must have been long since obliterated. Captain Jones describes the length as 27ft. 3in. which Barrett gives as 66ft. He also notices an entrance of 2ft. 11in. broad, on the east of the cave; a recess of 2ft. broad on the north-east angle, and another on the north-west angle 2ft. broad, by 3ft. 7in. long.

In concluding this graphic description of the cave, I would notice an error into which I had fallen in a preceding page (11) of this work:

On the top line of the second column, page 11, the paragraph ought to have ended at the word *excavation*. A new paragraph would then have proceeded as follows:

Not so deep in the rock as the former [hole], at the northern extremity, the margin of the rock is ornamented with a sort of irregular gothic tracery,

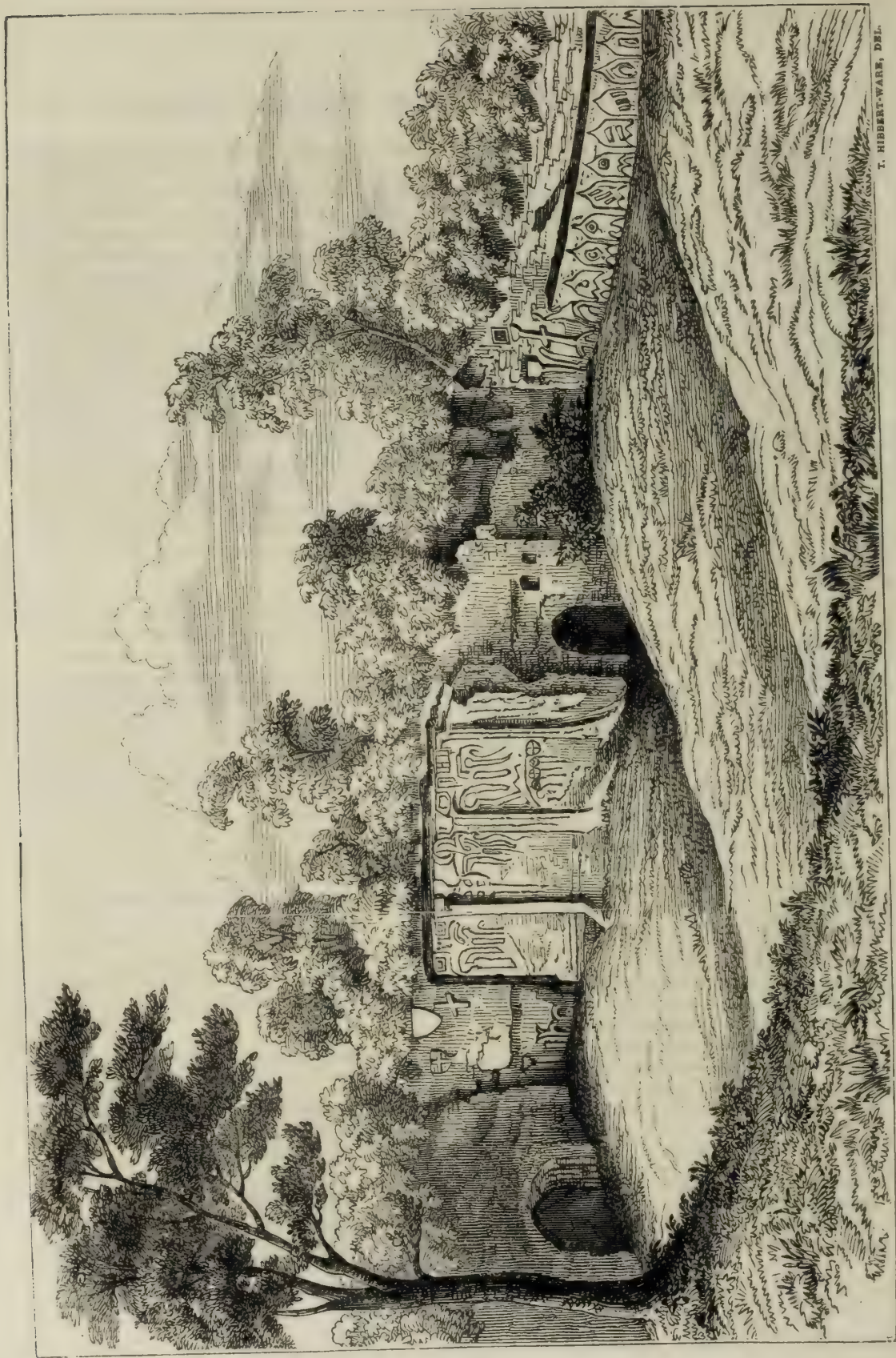
§ 3. (d) HISTORICAL ACCOUNT OF RANULPH GERNONS, THE FOURTH EARL OF CHESTER.

The Greslets meet with little or no commemoration during this stirring period. It might have been stated, that Robert, the father of Albert Greslet (Senex) had left behind him another, and doubtless a younger son, Osbert.—[Vide “Magnum Rotuli Scaccarii,” &c. of the 31st of Henry the First, edited by the learned Mr. Joseph Hunter.] But in this uncertain state of the genealogy of the Greslets, it is grateful to dwell upon names far more renowned in Lancashire annals.

After having explained the disputed portion of the Peverel genealogy, I adverted to the confirmation by William Peverel, the younger, of his father's gift of lands to the Cluniac monks of Lenton, as well as to other donations by Hugo de Burun, who became the first monk of the cell of Kershal, near Manchester. This led me to offer some conjecture on the cause why the history of the Christian cave of Ordeshal should have been lost.

A remaining object of this portion of the history will be devoted to some little historical account of Ranulph Gernons, the fourth earl of Chester, who, after having succeeded to the forfeited possessions of William Peverel, the younger, endowed and founded the cell of Kersal, first occupied by Hugh de Burun.

It has been observed (page 16), that the lands conceded in a former reign to William Peverel, the younger, Lord of Nottingham, were the most strenuously disputed by Ranulph Gernons, whose



T. HIBBERT-WARE, DEL.

WODEN'S CAVE AT ORDSHAL, AS IT EXISTED IN THE LAST CENTURY.

father, Ranulph Meschines, had, in the late reign, been gifted with much property in Lancashire. In the 29th of Henry the First, A.D. 1129, Ranulph succeeded to his father, having been named, by way of distinction, Ranulph de Gernons, from his birth-place, Gernon, a castle in Normandy. His opposition to the king, "de facto," arose from two motives; first, from the loss of his patrimonial earldom of Cumberland, which Stephen had given to Henry, Earl of Northumberland, son of the king of the Scots; and, secondly, from his alliance with Maud, daughter of Robert, Earl of Gloucester, the base brother of Maud the empress, who was collecting aids in favour of her claim.

Ranulph Gernons was a brave, yet subtle warrior. In the year 1141 (6th Stephen), he surprised the city of Lincoln and manned it for the empress. Afterwards, he and his father-in-law, the Earl of Gloucester, took the king prisoner at the battle of Lincoln, along with many other nobles, among whom was William Peverel, lord of Nottingham.

Three years later, Ranulph Gernons obstructed the attempts of Stephen to build a fort against Lincoln Castle. But, subsequently, at the siege of Wallingford, we find the same insidious earl fighting on the side of the king, yet so much mistrusted, that he was imprisoned until he gave hostages and rendered an oath of obedience. Yet he again rebelled, and was repulsed at Lincoln as well as at Coventry. At a later period he came to an agreement with Henry, Duke of Normandy, and David, King of Scotland, to invade the English king, but failed in his engagement. Soon afterwards he was apprehended by Stephen, and not allowed his liberty until he had yielded up Lincoln and all his strongholds, and given up Gilbert de Clare, Earl of Gloucester, his nephew, for an hostage. But having obtained his freedom, he exposed his hostage to imminent danger, by regaining his castles and by making every exertion to recall young Henry out of Normandy.

The last trait of Ranulph Gernons' versatile and dishonourable career, was his agreement of forbearance with Robert, Earl of Leicester, the king's favourite, in consideration of which there was restored to him the constablership of Lincoln Castle and county, with all his other hereditary rights or equivalents, and several forfeited estates. So powerful was Ranulph then become, that it is said, no doubt with exaggeration, he had possessed himself of a third part of the whole realm.

Lastly, we are informed that, at the close of the reign of Stephen, certain lands, of which the Earl of Chester had taken forcible possession, including those between the Ribble and the Mersey

(formerly belonging to Roger de Poitou, and subsequently to William Peverel, lord of Nottingham, then deceased), were, by the consent of Stephen, sanctioned, it is also said, by Maud the empress, and Henry, Duke of Normandy (afterwards Henry the Second), confirmed to the family of Ranulph Gernons.

Sir Peter Leicester has also assured us, on the authority of Dugdale, that King Stephen gave to Ranulph Gernons all the lands of Roger de Poitou, from Northampton to Scotland, except what belonged to Roger de Montbegon, in Lincolnshire.—[Ormerod's Cheshire, vol. i, p. 25.]

Among the possessions thus gifted, were the town and wapentake of Salford.

§ 4. RANULPH GERNONS ENDOWS THE ABBEY OF LENTON, IN NOTTINGHAMSHIRE, WITH LANDS FOR THE FOUNDATION OF A CELL, OR HERMITAGE, AT KERSALL, NEAR MANCHESTER.

It has been shewn that William Peverel, the first lord of Nottingham, founded the Cluniac priory of Lenton, in Nottinghamshire. Several reasons were also advanced for the supposition, that Cluniac monks had been first introduced to the vicinity of Salford by their great benefactor, and that they had constructed the rude cell or oratory of Ordshal, formed from a cave which had been previously dedicated to Odin. That Ranulph Gernons, when he took possession of the town of Salford and lands adjoining, found certain Cluniac monks of Lenton already settled there, amounts to a very strong probability, and nothing more. In such a case, he might have made an original grant of lands for their support, or have otherwise confirmed them in the possession of territory which they might have previously enjoyed under the patronage of their former bountiful promoter, William Peverel.

The deed, however, by which a cell near Manchester first became attached to the Cluniac priory of Lenton, is less presumptive of Ranulph Gernons having been a confirmer of lands previously granted at Kereshal, or Kersall, than of his having been himself an original founder.

At this early period it would appear, that the manorial demesnes of Salford included the flat marshy valley to the north of the town, often overflowed by the Irwell, which here makes a sudden bend, as far as the high broken banks and stony knolls of Kersall, or Broughton. Accordingly, with the lands of Kersall, situated on the opposite shore of the river, Ranulph Gernons endowed a cell, or hermitage, for the reception of Cluniac monks, which he attached to the priory of Lenton, in Nottinghamshire.

Such appear to have been the real circumstances of the foundation, devoid of all conjecture. Yet they are by no means at variance with the probability, that the monks introduced to Kersall had previously possessed the cell of Woden, at Ordeshall. On such a supposition, they might have merely removed to the vicinity of other crossing places of the Irwell, near Kersall, or Broughton, equally perilous with the ford of Ordeshall, and, no doubt, equally used;—for it might be geographically explained, that, with the view of avoiding a détour by Manchester, these fords were continuous with a cross pathway, which, in its diversion from the Roman track near Broughton, leading from Ribchester to Mancunium, intersected another ancient course conducting to Veratinum [Warrington], until it joined, near Hulme, the road to Condate [Kinderton].

According to this view, the Cluniac monks of the cell of Kersall undertook the ancient guidance across the hazardous fords of the Irwell, when the river was dangerously swollen; an office of monastic hospitality and mercy, which met with many parallels throughout Christendom. If religious meditation first tempted pious men to people dreary solitudes, an equally urgent motive was the activity and usefulness of a social tendency, most religiously enforced by the Benedictine and Cluniac rules.

But, without hazarding more speculations, we at length arrive at historical certainty:—

In the year 1780, Dr. Farmer discovered a deed which had been used as a lining to the cover of an old book. It consisted of a piece of parchment, six inches deep and four broad, which had suffered a little from being worm-eaten. This relic proved to be an original deed, which designated Ranulph de Gernon, Earl of Chester, as the real founder of the religious house of Kersall, or Kereshal. The following is a transcript of it from Cole's MSS., in the British Museum:—

R. Consul Cestriæ episcopo Cestriæ, archid' et omnibus ordinatis Dei et constab' Cestr' dapif'. B..... justiciariis, vicecomitibus, ministris et ballivis, et omnibus hominibus suis, clericis et laicis, Francis et Anglis, salutem, Sciatis, me concessisse et dedisse Deo et sanctæ Mariæ et monachis Sanctæ Trinitatis de Lenton in elemosinam Kereshelam, locum ad servitium Dei edificandum, et pasturam, et ad se dilatandum de essartis et piscariis et de rebus illis omnibus quibuscumque se dilatari et aisiari poterint. Quare volo et firmiter præcipio quod prædicti monachi bene et honorifice prædictam elemosinam solam et quietam et liberam de omni seculari servicio habeant, ne aliquis meorum super timorem Dei, et meum amorem temerè perturbet. T. Mathild. comitissa Cestriæ, et Kad-

waladr rege Waliarum, et Willielmo filio Alani, et Symone Corbet, et Roberto Dapifero, Ric Pencerna, et Henr. Pultrell, et Willielmo capellano apud Cestr.

Such was the charter discovered between sixty and seventy years ago, which leaves no doubt whatever that Ranulph Gernons, the fourth Earl of Chester, was the actual founder of the Cluniac cell of Kersall, near Manchester.

Ranulph Gernons, at the close of his life, endowed other religious houses besides those of Lenton and Kersall, among which was the monastery of Stoneley, in Warwickshire, and of Trentham, in Staffordshire. He was also a benefactor to the monks of Saint Werberg, in Chester.

He died, as some genealogists state, on the 16th of December, 1153 (18th Stephen), "et portoit de gueulles au lion rampant d'argent à la cove estant." Others assign this event to the various dates of 1155 or 1156. The death has been generally attributed to poison, administered by William Peverel, lord of Nottingham, in revenge for the forfeiture which had taken place of his heritable estates in favour of his victim. It is even added, but without any evident proof of the charge, that Maud, Countess of Chester, was privy to the assassination. William Peverel fled the kingdom, and became an exile for life.

Ranulph Gernons was succeeded by Hugh Kevelioc, the fifth Earl of Chester. About this time the troublesome reign of Stephen came to a close. Henry the Second is said to have conferred the Honour of Lancaster upon "William de Bloys, third son of King Stephen, lord of the Egle and Earl of Mortaigne and Boloign, who married Isabel, daughter of William de Warren, third Earl of Warren and Surrey." He became the fourth Earl of Warren and Surrey.

§ 5. ALBERT [SENEX], LORD OF MANCHESTER, GIVES TO THE CHURCH OF MANCHESTER FOUR BOVATES OF LAND.

It is now time to turn our attention to the ecclesiastical affairs of Manchester, rather than to those of the contiguous town of Salford.

There are a few bequests recorded of Albert [Senex], serving to connect his name with the lordship of Manchester, of which were four bovates of land ceded to Ulric of Manchester for five shillings per annum, whose descendants were stated to have long continued in possession of that land, and three bovates to Robert de Bracerigge, in consideration of four shillings annually.

This baron also gave four bovates, or ox gangs, of land to the church of Manchester from his

lordship "in elemosinam." The donation is supposed to have comprised a glebe in and near Denesgate, intermediate to the older and the newer town of Manchester. As it was gifted for the use of the "persona," or parson of the adjoining church of Saint Mary, it gave to the land the name, which a portion retains to the present day, of "the Parsonage."

§ 6. THE OLDER CHURCH OF SAINT MICHAEL, IN ALPORT, SUPPOSED TO HAVE BEEN, BY THIS TIME, IN A STATE OF NEGLECT.

In the grant which has been cited, the four bovates of land are gifted, not to the two churches, but to "the church" ["ecclesiæ"] of Manchester. We may therefore suppose, that the more ancient church of Saint Michael, situated in the older town, named Alport, was long before this time in a neglected state, the chief memorial of its presence having been perpetuated in the annual fair, or feast of dedication, which would continue to be held in its vicinity.

One great cause of this state of neglect must have been owing to the removal of the town of Manchester to a more northerly site, by which the older church of Alport would be no longer surrounded with habitations;—in proof of which, it may be collected from manorial documents of a later date, that Alport was at that time in the process of being converted into a park, where there was "a wood invested with oak, and yielding a pannage (or feeding for swine), an aery of hawks, herons, eagles, honey, and bees."

Another cause of neglect was referable to the law enacted in the time of the Saxons, that when more than one church rose up in a parish, the younger participated in the endowment of the older one, even to a third, and shared with her in all tithes and oblations, save the church scot, which was continued to the mother-church, as an acknowledgment of her superiority. Consequently, a parish became unwilling to disperse her tithes among a greater number of poor clerks than the cure of souls demanded.

A last conspiring cause may be referred to the adjacent rival oratories of Ordsall and of Kersall, belonging to the Cluniac fraternity, whose religious offices were transcendantly influential, far exceeding those of the secular clergy. It was reported of a monk of the tenth century, that in clambering to the summit of Etna, near reach of this mouth of hell, he heard from within the devils complaining, how many departed souls had been wrested from their dominion by the prayers of monks of the Cluniac order.

These circumstances may sufficiently explain the

decay of Saint Michael's Church in Alport, rendering it unnecessary to refer the event to the practice of the Conqueror, who, in taking in a forest and stocking it with wild animals, would demolish many family dwellings and religious houses.

The exact site where the church of Saint Michael stood is perfectly unknown. As it was often customary to build a church dedicated to the archangel on the loftiest portion of the selected land, a suggestion arises, that it should be sought for on the south of Castle-field, not far from the site where three fragments of stone were actually discovered a few years ago, supposed to have belonged to an ecclesiastical structure.

These interesting relics, hitherto incorrectly reported, have fortunately met with preservation in the museum of the Manchester Natural History Society. Two of them will be now described. A third is reserved for future comment.

The one which represents a human face, perfectly beardless, has nothing remarkable in it, with the exception of what has been taken for hair turned back, but which might rather indicate a sort of cap, or covering for the head, especially if the countenance be assigned to a female, and not to a man.—"But much may be said on both sides." It is, in height, one foot ten inches; and, in breadth, one foot six inches. It is not easy to make a conjecture on the portion of ecclesiastical structure from which this fragment might have been detached, whether from some vaulted ceiling, or from some parapet, or even buttress, &c.



A second figure is of a most interesting description, being that of a female with a loose cap on her head, and arrayed in rather an elegant robe. The forearms are placed over the front part of the

waist. This relic might have expressed a saint, or might have been one of the figures grouped in a rood. The height is two feet four inches, and the breadth one foot four inches.



§ 7. ALBERT [SENEX] IS A CONSIDERABLE BENEFACTOR TO THE ABBEY OF SWINESHED, IN LINCOLNSHIRE, WHERE HE IS INTERRED.

Albert [Senex] was a considerable benefactor to the abbey of Swineshed, in Lincolnshire, whence probably the supposition, an erroneous one, in the book of Furnes, that it was founded in 1148, in the time of Stephen. Gervase Holmes has also stated, from a MS. of Leland, "Swineshed cœnobium Bernardinorum a Latimerio temporibus Stephani regis inchoatum."

In a confirmation charter of King Henry the Second, the different donations which formed the endowment of Swineshed Abbey are enumerated. "H., Dei gratia, Rex Angliæ, confirmed to God, and to the church of the Holy Mary of Swynesheved, and to the monks there serving God, in the place among the willows, in the marsh of Swynesheved, in which the abbey was founded, along with all the culture of meadow and a fourth part of the marsh there, and two piscinæ, and the mill of Burtost, and the mill of Sudwella, and THE MILL OF MAINCESTRIA, &c., &c., &c.; and whatever Robert Greslei and Albert his son, the founders of the aforesaid abbey, gave to the same and confirmed by their charters."—[See Dugdale's *Monasticon* for the authority.]

We also find, from Kuerden and the Testa de Nevil, that Albert [Senex] gave to the monks of Swineshed one croft, named Witacres, near Manchester. "Albertus Gredly dedit monachis de Swinshou 1 croft voc. Witacres [or Withacres], in elemosinam."

Albert [Senex] was interred at Swineshed, where a monumental effigy still exists. But whether it commemorates him, or his father, co-founders of the monastery, is uncertain.

§ 8. THE DESCENDANTS OF ALBERT [SENEX] AND HIS INFECTMENTS.

Albert left behind him one son, Albert [Juvenis], and three daughters, severally married. Emma, his youngest child, received, in marriage to Orme Fitz-Ailward, or Eward, one knight's fee in Dalton, Parbold, and Wrightington, which then became subfeodary to the manor of Manchester, and also one carucate in Eston, for ten shillings annually;—which Eston was, according to Dr. Ormerod's successful researches, not Ashton-sublimam, a berewick of Manchester (as is generally supposed), but Orm-Eston, now Urmstone, in the parish of Flixton. As a consequence, the alienation of the church and manor of Assheton, attributed to this marriage, is a most incorrect supposition.—[From "the Stanley Legend," a genealogical memoir in the seventh vol. of the Collect. Topogr., &c., by Dr. Ormerod.]

The same Albert [Senex] is also said to have given to Henry Fitz-Siward a carucate of land in Flixton, for ten shillings.

Another infectment was in favour of Thomas Perepoint of three carucates of land in Rivington, for the fourth part of a knight's service.—[Gregson's Lancashire, page lxix.]

But let us now pause.—Among Lancashire genealogists there are numerous irreconcilable contradictions and obscurities regarding the succession of feudal infectments of this particular period. For instance, in the year 1158, William de Bloys, third son of King Stephen, who possessed the Honour of Lancaster, died; but by whom he was immediately succeeded in that dignity, or whether it remained with the crown, is not very intelligible.

An obscurity, no less perplexing, pervades the infectments of the barones comitatûs, as well as the whole of their history;—for which reason, I have omitted noticing the numerous contending accounts which have been given of the Greslets, father and son,—Albert Senex, and Albert Juvenis. As it is quite impossible to reconcile these contradictions, and as the labour is, honestly, not worth the trouble, I shall (with, perhaps, some little

of the fox and grape spirit) pass them over altogether, by referring the reader, in the first place, to Mr. Whatton's memoir on the family of Greslet, published in the Manchester Literary Transactions; and, in the second place, to Kuerden's more ancient account of the barony of Manchester, in his manuscript volume deposited in the Chetham Library;—which account, however inaccurate in some respects it may be deemed, has not hitherto been correctly quoted.

CHAPTER IV.

EVENTS DURING THE BARONIAL SWAY OF ALBERT GRESLET [JUVENIS], THE FOURTH BARON OF THAT NAME.—A. D. 1166?—1182?—TEMP. HENR. II.

While describing the local events of Manchester, it will occasionally be expedient to glance at the general position of the English church, as it varied at different periods.

In the time of Henry the Second, while many enormities of a preceding reign, attributable to an undue exercise of royal authority in ecclesiastical affairs, had been corrected, old disputes were revived regarding the nature and extent of the authority claimed by the church. These were very far from being satisfactorily terminated. The church claimed for the clergy an exemption from the lay jurisdiction of the secular courts, which, although recognised by the established usages of the country, had given rise to great abuses among the more licentious members of the church;—which abuses had grown with the growing turbulence of the times. The king, on the other hand, asserted the incompetence of the spiritual courts in cases of criminal jurisprudence, and, in order to exclude, under any circumstances, the ancient right of appeal to the decision of the pope, he not only forbade any clergyman to go beyond the sea without permission of his sovereign, but ordered all causes purely spiritual to be terminated in the court of the archbishop.

And even with this stretch of authority the king was not contented. He exempted the principal officers and tenants of the crown from any spiritual censures whatever of the church; and, lastly, he claimed the custody of all vacant benefices of royal foundation.

It was in the course of these contentions for the immunities of the clerical order that the unfortunate catastrophe occurred of Becket's death.

With this view of the general state of the English church at the close of the twelfth century, we may now proceed with our local history.

The exact period when Albert [Juvenis] succeeded to his father, in the possession of his Lancashire estates, is unknown. In the 12th of Henry the Second, A.D. 1166, he confirmed whatever Robert de Gresley and Albert, his son [Albert Senex], had given to the church of Swineshed.

§ 1. THE PARISH OF MANCHESTER, AND CHURCHES ADJACENT.

Regarding the state of the church of Manchester during the baronial sway of Albert Juvenis, nothing whatever is known.

Hollinworth has referred the chapel of Didsbury, contained within the parish of Manchester, to this period. "Didsbury Chappell, the first chappell that was builded in this parish, was (as is supposed) erected about this time."

In the adjoining parish of "Prestwich-cum-Oldham," it is imagined, from the architectural character of a font (which I have not seen), that the church of Oldham may be referred to this period.

Lastly, about this time Adam de Spotland either founded or endowed the church of Saint Cedde, in the contiguous parish of Rochdale.—[Baines' Lancashire, vol. ii, p. 624.]

§ 2. HENRY THE SECOND CONFIRMS TO THE MONASTERY OF LENTON, IN NOTTINGHAMSHIRE, THE HERMITAGE, OR CELL, OF KERSHALL.

Henry the Second, who was a great friend to all religious orders, especially to the Cistercians, the monks of Clugni, the Knights Templars, and Carthusians, confirmed to the monastery of Lenton the hermitage, or cell, of Kershal, as is shewn in an inspeximus of King Edward the Second.

"Inspeximus etiam quamdam aliam cartam quam idem progenitor noster fecit monachis dictæ ecclesiæ de Lenton in hæc verba:

"Dei gratia Rex Angliæ, &c. R. filio Bern. et omnibus ministris et forestariis suis de intra Ribbile et Merse, salutem. Sciatis nos dedisse et concessisse et hac mea carta confirmasse monachis de Lenton pro salute mea et hæredum meorum, et pro anima regis H. avi mei et antecessorum meorum hermitagium de Kershala cum omnibus pertinentiis suis in liberam puram et perpetuam elemosinam. Quare volo, &c. T. B. episcopo apud Porcestre."

[From a diploma relating to the monastery of Lenton, given in Dugdale's Monasticon, entitled "Diploma Regis Edw. II, ipsam fundationis cartam necnon donationes diversorum recitans et confirmans."]

Tanner states that this charter of confirmation was granted before the year 1184, when Bartholomew, Bishop of Exeter, who was a witness to it, died. With respect, therefore, to the place which it finds in the annals of Manchester,—as Albert Greslet [Juvenis] was not living in the year 1182, it is a greater chance that the grant occurred during his baronial sway, than during the first two years of his successor.

§ 3. THE INFEUDMENTS OF ALBERT GRESLET [JUVENIS].

Little more is recorded of the period of Albert Juvenis. The requisitions of the crown for carrying on expensive wars induced this baron to make various subinfeudations of his estates, among which were two bovates of land in Anglezark to the Lathom family, three carucates in Rivington, Rumworth, and Lostock, to the Pierpoints, which, from them, came to the Haltons. He also gave to Alexander Fitz-Umoch two bovates of land in Parva Lofre (Little Lever), for half a mark and twelve-pence, or in lieu one of the smaller breed of hawks named a "nisus;"—to Elias of Pennilbury, lands at Slivehall, for twelvepence, or one nisus, annually;—and to William Noreys two bovates in Heton, for rent of ten shillings.

§ 4. DEATH OF ALBERT GRESLET [JUVENIS].

The date of the death of Albert Juvenis is, perhaps, unknown. It would appear that he was not living in the year 1182.

He had married Elizabeth [or, perhaps, Isabel], daughter of Thomas Basset, and sister of William Basset, by whom he left one son, his heir.

CHAPTER V.

DURING THE BARONIAL SWAY OF ROBERT GRESLET, THE FIFTH BARON OF THAT NAME.

At the time when Albert Juvenis died, his son, Robert Greslet, was of very tender years. But even under these circumstances, long before a minor could contract a personal engagement, the sovereign was accustomed to receive his homage as a sort of pledge that the child was the true inheritor of the fief of his father; and that the hereditary transmission of the fief was to be uninterruptedly perpetuated.

With regard to the right of tutelage, some recent provisions to this effect were made during the reign of Henry the Second. But, in the present instance, it would appear that the Norman law had been observed. In Normandy, the administration of a minor's fief was committed to the nearest heir,

while the care of his person was entrusted to such of his relatives as could not inherit from him. We accordingly find, that Robert Greslet was placed under the guardianship of his mother, Isabel, daughter of Thomas Bassett, who afterwards became the wife of Guy de Creoun, and of his uncle, Gilbert Bassett, neither of whom could inherit from their ward.

It is probable that the period of tutelage would be, in some degree, regulated by the Saxon laws, which made an individual legally responsible for his conduct at the age of twelve. That this rule extended to the present case of feudal heirship, can only be surmised from the record, that Robert Greslet, subsequent to the death of his father, was, in the 32nd of Henry the Second (1186), reported to be eleven years of age.

§ 1. THE SUBORDINATION OF THE PAROCHIAL CHURCH OF MANCHESTER AT THIS PERIOD TO AN ARCHPRIEST.

In the year 1188, when Henry the Second determined to undertake a crusade to the Holy Land, in conjunction with the King of France and the Earl of Flanders, he obtained leave from the pope to receive the tenth part of all spiritual promotions for a certain term of years; which tenths were named the "*Decimæ Saladinidæ in subventionem terræ Ierosolymatanæ.*" This tribute, an early instance of paying tenths, was levied in each parish: "*in singulis parochiis, præsentē presbytero parochiæ, et archipresbytero, et aliis;*" the penalty of default being excommunication.

This quotation is made for no other purpose than to illustrate the ecclesiastical system of ranks which prevailed at the close of the twelfth century in each parish of England, whereby an incumbent was made subordinate to an archipresbyter, or archpriest. It will be shewn hereafter, that the functions of the archpriest became gradually modelled into those of the dean rural. In the meantime, I shall avail myself of the very successful researches of Mr. Dansey, in his *Horæ Decanicæ*, as well as of the remarks of M. Guizot, in his "*Histoire de la Civilisation en France,*" to explain the origin of the archipresbyteral functions, which, at the present day, are particularly interesting, as they have undergone, in Manchester, and other districts of the diocese of Chester, a recent revival.

It was in the large towns of western Europe, according to M. Guizot, that Christianity, when first taught, met with its earliest support under the presidency of a bishop, who was the primitive element of the order of priests, the commencement [*point de départ*] of the ecclesiastical congregation, and the inspector, or chief, of the religious assembly of

each town. Subsequently, a greater or less tract of country was formed round the town, or city, wherein the bishop presided, which became the proper diocese of the primitive episcopal see.

There might also be found in many tracts of land, sometimes diocesan, and sometimes independent of the jurisdiction of a town bishop, a number of parishes associated together under the name of "chapitre rural," at the head of which was an archpriest, who, in contradistinction to the bishop who resided in a town, was named the chorepiscopus, or country bishop, as well as episcopus vagus, or ambulatory bishop.

All bishops at first, as Mr. Dansey has remarked, were upon an equal footing; but, when the polity of the church began to conform to the state, the chorepiscopi were considered as vicarii episcoporum, bishops' deputies, or suffragan bishops; and, in the meantime, there was a subjection of the rural to the urban bishop, during which decline we trace the newer appellation given to the chorepiscopus of ARCHPRIEST, or protopresbyter, with the view of reducing him to the subordinate rank of presbyters.

There also arose two kinds of archpresbyters, namely, the cathedral or urban archpriest, who had authority in some city or cathedral church; and the rural archpriest, who was vested with a superintendence over the parish priests of the district in which he was localised.

The rural archpriest, to whom our attention is confined, inspected churches which lay so remote from the city, that they could not be overseen by the bishop in his own person. In the twelfth century, he became an important agent, appointed probably by the pope himself, after the manner of other countries of Europe, to superintend the secular concerns of the groups of churches assigned to his superintendence. He was appointed, for instance, collector of the *decimæ Saladinidæ*. He also levied the Rome scot, variously named Peter pence, first imposed by Ina in support of an English school at Rome, the half of which, however, went to the personal support of the pontiff. And whenever the kings of England obtained leave of the Roman see to receive the tenth part of spiritual promotions for a certain term of years, the aid, named "the tenths," became collected by the archpriest, or archpresbyter.

It is probable, also, that the archpriest was placed as a check over the morals of the parochial clergy among whom he was localised;—for it has been properly remarked by a modern writer, in reference to the assertion of William of Newburgh, that the peace was frequently broken by the thefts, rapines, and homicides of clergymen, who, pleading their privilege as clerks, eluded all penalty,—that the prac-

tice of ordaining clerks beyond the demand of the country, together with their exemption from civil jurisdiction, had greatly contributed to their degeneracy.—[Dr. Vaughan's *Wycliffe*, vol. i, p. 173.]

Hence arose a system of vigilance, or police, which the times imperiously demanded. But it was not complete without the more enlarged control of a *præfectus episcopi*, or archdeacon, to whom, in the diocese of Lichfield and Coventry, the archpriest owed his appointment.

§ 2. THE ARCHDEACONRY OF CHESTER, WITHIN WHICH MANCHESTER WAS COMPREHENDED.

Manchester was very early included within the archdeaconry of Chester, which formed one of the divisions of the diocese of Lichfield.

This diocese, which, at intervals, underwent a variety of names, as of "Lichfield," "Chester," or "Lichfield and Coventry,"—which latter designation it eventually retained,—admitted, from a very early period, two archdeaconries, namely, of Chester and of Richmond, in the former of which Manchester was included.

So ancient was the office of archdeacon in the church, that the fact of his having been originally chosen from the order of deacons, whence his name, mounts up to the third century. He is now, as it is well known, selected from the order of priests. His functions, at a later period, bore some faint resemblance to those of the *Laodicean periodeutæ*, who were "quasi procuratores et episcoporum vicarii." The *periodeutes* was a sort of circumcinator within a rural circle of churches, appointed by an urban bishop, though, with this provision, that he should unite the office of a parochial incumbent with that of a visiter, which the archdeacon did not, who, in this respect, ranked above the *periodeutes*.

We hear very little of archdeacons in England until after the Conquest. The clergy appear to have been represented by archdeacons in convocation, to whom they gave letters of proxy to act in their behalf;—an incident which no doubt prevailed in the diocese of Lichfield, where the clergy of Cheshire and Lancashire were represented by an archdeacon, stated of Chester, while those of other contiguous localities were represented by an archdeacon of Richmond. The first account which is transmitted to us of archdeacons being summoned in convocation, was in the 22nd of Henry the First, 1122.

It is supposed that, even in Saxon times, the archdeacon was appointed by the bishop, and that he was the *præfectus episcopi* in the time of Edgar. In the Norman period, he certainly appears to have owed his appointment, within the vast diocese of

Lichfield, to the necessity which subsisted for alleviating the duties and responsibilities of the diocesan, as well as for generally improving the discipline of the church. The archdeacon was a close attendant on the bishop in the episcopal city, and he was sent as a commissary, or mandatory, in the country, though more on secular than on spiritual affairs.

But, although a large district was assigned to the superintendence of an archdeacon, it has been remarked, that about this period the bishops of Lichfield and Coventry still used Chester in their title, on the ground that one or two of their predecessors had there sate.

§ 3. RICHARD THE FIRST ASCENDS THE THRONE.

In the year 1189, Richard the First ascended the throne of England. We find few ecclesiastical events, connected with our local history, which occurred during this reign. The monarch professed a favourable inclination towards the English church, which he would not suffer to be deprived of any of her disputed rights.

In the first year of his reign, the Honour of Lancaster was possessed by the crown. In the fifth year, Richard gave it to his brother John [Lackland], the fourth son of Henry the Second, who had married Alice, daughter and one of the heirs of Herbert, Earl of Mortaigne, in whose right his father had transferred to him this title. Some of the lands formerly belonging to Roger de Poitou were conceded to him, which, at first, did not possess *jura regalia*. Along with these possessions, John, Earl of Mortaigne (afterwards King John), is said to have been created the first Earl of Lancaster.

The era of Richard the First was a stirring one in military movements. By a law passed in the preceding reign, whoever held a knight's fee was required to have a coat of mail, a helmet, a shield, and a lance; and every knight was to have as many coats of mail, helmets, shields, and lances as he possessed of knights' fees. Every layman who owned goods, or rents, to the value of sixteen marks, was to have a coat of mail, a helmet, a shield, and a lance; while every free layman who had, in goods, ten marks, was to have an iron gorget, an iron cap, and a lance.

§ 4. ROBERT GRESLET COMES OF AGE, AND MARRIES.

In the sixth year of the reign of Richard the First, Robert Greslet arrived at the full age required by law, to enable him to take possession of his numerous estates in the counties of Oxford, Rutland, Lincoln, Norfolk, Suffolk, and Lancaster. Heirship, as M. Guizot remarks, being the natural and normal con-

dition of feudalism, the relation of the vassal to the sovereign obeyed the same law. Each time that the vassal died, the social link was required to be renewed; and hence the ceremonies of homage, the oath of fidelity, and institution. We are accordingly informed, that the homage of Robert Greslet having been accepted, there followed the oath of fidelity, as well as the actual investiture.

Shortly after coming of age, Robert Greslet married a daughter of Henry, brother of William de Longchamp, chancellor to King Richard, with whom he had the lordships of Maslingham and Weston, in the county of Norfolk.

§ 5. ROBERT GRESLET ASSISTS RICHARD THE FIRST IN HIS EXPEDITION TO NORMANDY.

About the time when Robert Greslet came of age, Richard was setting out upon his expedition to Normandy, with the view of commencing immediate hostilities against the French king, and, as the baron of Manchester was summoned to attend his sovereign, we find indications of the efforts which he made in the royal cause, not only in the scutage which he received from his Lancashire tenants, but in the numerous sub-infeftments which ensued. Many of the grants recorded of him were, no doubt, in recompense for the personal services of the adventurous free tenants who followed in the baronial suite. For instance, we find about this time grants of land made to the Latham family in Childwall, Parbold, and Wrightington, severally members of the barony of Manchester. The Pierpoints had sub-infeftments of land in Rumworth;—the Samelsbury and Harewode families in Harwode and Sharples,—which last gifts were increased by a transfer of lands in Aspul, Turton, and Brockholes, previously in the possession of the Hollands. Robert de Buri had thirteen [or fourteen] bovates of land given him from the lordship of Manchester, in consideration of half a knight's service, while Radulphus [alias Robert] de Emecot had two bovates granted to him, in consideration of six shillings and eightpence annually. The Pilkingtons had also their possessions increased, most probably in return for, or in expectation of, services in the field.

It is reasonable to suppose that corresponding exertions were made by lesser proprietors, such as those who held their estates by thanage, or by drengage, to support the cause of Richard the First. Among the original Saxon stocks were the families of Hulme, of Worthington, of Prestwich, of Withington, of Chorleton, of Chetham, of Middleton, of Hest in Middleton, of Hulton, of Penelbury, of Clifton, of Notton [or Newton], and of Failesworth. Of these old Lancashire houses various transfers or confirmations of land are recorded.

In fact, the era of Richard the First, while it abounded with feudal confirmations or gifts, was, otherwise, an epoch in the history of landed property; inasmuch as it formed the time of legal prescription. No lands, tenements, rights, or liberties which had been enjoyed in the previous reign of Henry the Second, were required to be proved by any charter or document in writing whatever.

§ 6. THE CRUSADING SPIRIT OF THIS TIME.

There is little more at this period to record of the lordship of Manchester, except that it partook, with every other part of the kingdom, in that religious excitement, which, having been cherished by a lingering after barbaric freedom, stimulated the feudal proprietor to exchange hours of idleness in the country for the perils of an errant life. The spirit of crusade having extended to Manchester, some few heroes of the Paynim fight are still remembered in the oral records of the vicinity. Of these, was Elias, or Elizeus, the giant of Worsleigh, founder of this family, who held the manor of Workeslegh, or Workedlegh, near Manchester. He was, says the tradition, reputed a giant, who fought many duels and combats for the love of our Saviour Jesus Christ, and obtained many victories;—who died at Rhodes, and there lies buried.

The son and heir of Elias the Giant [Elias Gigas as he is named in the feudal entries,] was Richard Workedly, who is said to have gifted lands in Penultsbury and North Dene, as well as pastures in Swinton, to Adam de Penultsbury.

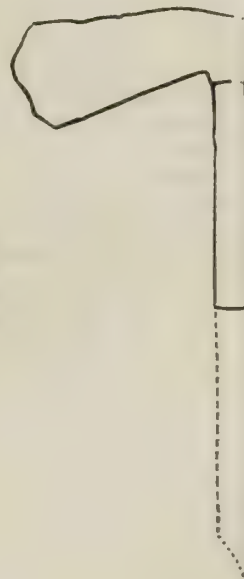
In the year 1821, there was discovered to the south of the Roman station of Castle-field, in Manchester, a sculptured fragment of stone, which, most probably, had existed in the old church of Saint Michael, in Aldport. It represents a figure cross-legged, somewhat after the manner of a knight-templar, the elbow of whose left arm, while resting upon his trusty battle-axe, gives support to the head.

A very unsatisfactory representation of the relic has been published in Baines's History of Lancashire.—The height of the stone fragment is one foot ten inches, and its breadth one foot eleven inches and a half. It is deposited in the Natural History Museum of Manchester.

The figure would appear to be arrayed in a shirt of mail [or chain armour]; the cap, of a singular fashion, indicates the same material. The battle-axe, upon the blade of which the warrior reposes, has the opposite end of the shaft planted firmly on the ground. The exact form of this ancient

weapon I have more distinctly traced on a tombstone of the crusading age, at Chelmerton, near Buxton.

But to what portion of church architecture is this sculptured fragment to be referred? It might have formed the tablet of a feretory [or repository of relics], or the capital of a pillar, &c. &c.



Battle-axe of the Crusading age. From an ancient sepulchral stone at Chelmerton, Derbyshire.

§ 6 ^{bis}. THE FIRST RECORDED DEAN RURAL OF MANCHESTER.

There is a vice which pervades the whole of the remarks of Mr. Whittaker, on the rural deanery of Manchester. This truly erudite, yet fanciful author, having set out with the proofless assertion that a rural dean existed in Manchester in Saxon times, the whole of his reasoning has been made to bend to a vain system of theorizing. The consequence is, that while many important facts have been glanced over, if not suppressed, trivial circumstances have been made to acquire a most undue prominence. For instance, the constant residence of a rural dean in Manchester has been inferred from the name of a street, the Denesgate of ancient charters [not Deansgate], which Whittaker supposes to have led from Aldport on the south, and from the Baron's Hull on the north, to the intermediate mansion of the rector or dean, whence the origin of the name Denesgate, improperly spelled "Deansgate."—[Whittaker's Manchester, 4to., vol. ii, p. 408.] This sanguine author has even subjected to graphic description a half timbered building of no Saxon date whatever, supposed by him to have been the house of the deanery, which my old friend, the late Mr. Aston, in his "Guide," has afforded us the means of examining for ourselves, by referring us for the site thereof to "Number 94, Deansgate."

In a later view, however, which I have taken of the etymology of Denesgate, the supposition is wholly untenable. The remarks which I have to offer on this etymology, in addition to others which will suggest themselves, when I describe the naturally fortified site of ground selected for the newer residence of the baron of Manchester,—are as follows:—

According to Dr. Bosworth, the Saxon name "dene," signifies "a valley."

But Mr. Chadwick, in a genealogical history of his family [Corry's Lancashire, vol. ii, p. 606], limits the word dene to a particular kind of valley, "convallis,—a narrow valley or dale, enclosed on both sides with hills, and often exhibiting woods and streams of water convenient for feeding cattle." I believe that this restricted meaning is strikingly exemplified on the northern suburbs of Edinburgh, at the place where the valley through which the water of Leith flows takes the name of "Dene." Another Scottish dene, in the same vicinity, is the well known Hawthorn Dene, or Hawthornden. In Lancashire we have many of these denes, as North Dene, near Manchester, and Saint Mary's Dene, near Bolton, where a church dedicated to the virgin was built;—it is now simply named "Dene." We have also Spodden, or Spawdene, subsequently

named Healey Deane, or the Holy Dene, near Rochdale. But as it is needless to multiply examples of this kind, the only remark demanded on this occasion is, that a dene, or valley, of this precise kind, under the name subsequently given to it of "The Hanging-ditch," insulated the fortified site of the Baron's Hull. Hence, as the Roman road which led from Aldport conducted to this dene, where a rivulet was required to be crossed, the said road was simply named "the Dene's-gate."

This is no fanciful etymology. There is a Denesgate in the populous town of Bolton-le-Moors, where certainly no rural dean is ever recorded to have sojourned; while there is not far from the town a valley, or dene, to which the Denesgate of Bolton leads.

In short, while Mr. Whittaker has attached to the title of "Dean of Manchester" a date of origin many centuries earlier than can be confirmed by written evidence (which I was the first to point out in a former edition of this work), the error was still farther complicated by the functions of the dean and rector being necessarily united in one and the same person, whence the conclusion, that the constant residence of the dean must be sought for in the parsonage land of the Denesgate.

We have, in fact, no evidence whatever of the existence of a dean of Manchester prior to the present period of our history, namely, the reign of Richard the First.—In a confirmation made by Hugo, Bishop of Coventry, of a mediety of the church of Eccles with all its appurtenances, at the presentation of Editha de Barton, and by the consent of Robert Grelley,—which grant is dated at Wynewik, in the month of April, 1192, "in the second year after the king had set out for Jerusalem,"—the deed is witnessed, among other persons, by "J. Decanus de Mamecestr."—[Coucher Book, or Chartulary of Whalley Abbey, edited by W. A. Hulton, Esq., for the Chetham Society, vol. i, p. 39-40.]

The occurrence of the name of a rural dean of Manchester at this particular period, so soon after the year 1188 [see pages 22 and 23], is a point of no little historical importance, as bearing upon two questions, first, whether the dean rural was, or was not necessarily located in Manchester,—and, secondly, whether the functions of the dean rural and rector of Manchester were, or were not united in the same individual.

These questions, answered with great temerity by Whittaker, will be discussed when I have to speak of Albert de Neville, the first usually recorded rector of Manchester, whose name has transpired.—But of this, there may be a doubt.

§ 7. RANULPHUS DE WELLING, RECTOR OF MANCHESTER.—TEMP. RICHARD I.

From the time of Edward the Confessor, when the church of Manchester is recorded to have been endowed with a carucate of land, down to the reign of Richard the First, at the close of the twelfth century, there has not been hitherto the name of a single rector of Manchester known, until, in the reign of John, we meet with an Albert de Neville disputing with the prior of Lenton regarding a parochial right of sepulture infringed upon by the monks of Kershal.

A friend, however, upon whose accurate information I place the greatest reliance, informs me, that in a deed of the 6th of Richard the First (A.D. 1194-5), relating to the contiguous parish of Prestwich, he saw the name recorded, as a witness, of RANULPHUS DE WELLING, RECTOR OF MANCHESTER.

It would appear, then, that we have evidence of a dean rural of Manchester living in the year 1188, and, in the present instance, of a rector of Manchester existing about six years afterwards. But, as the intervention of even this short period renders the evidence imperfect whether the functions of the dean rural and rector were, or were not united in the same individual, the question will be postponed until we have to speak of Albert de Neville.

As I am unable to give any account of Ranulphus de Welling, Rector of Manchester, I shall merely describe the arms of the family of Wellings as given by Mr. Burke in his general armoury of England, Scotland, and Ireland, published in 1842. Ar. a bend, per bend, az and gu. six mullets of the third.

§ 8. KING JOHN CONFIRMS THE GRANT OF THE CELL, OR HERMITAGE, AT KERSALL, TO THE MONASTERY OF LENTON.

In the year 1189, John [Lackland], who possessed the Honour of Lancaster, succeeded to the throne of England.

About this time, Elias Fitz-Robert held the wapentake of Salford, by sergeanty.—[Baines's Lancashire, vol. ii, p. 144.]

In the new edition of the *Monasticon Anglicanum* of Dugdale, King John's confirmation to the monastery of Lenton, in Nottinghamshire, of the Cluniac hermitage of Kersal, said to have been founded by Henry the Second, has a date assigned to it of the 6th of April, in the first year of the reign of John, A.D. 1199.

Since this account was printed, I discovered in the "Rotuli Chartarum," the charter to which this

statement refers:—and, it is worthy of remark, that the document appears to be the same which Hollinworth assigns to the date of Edward the Second. His statement is as follows:—

"Edward the 2nd" [he should have said King John] "gave and graunted, or rather confirmed the Hermitage of Kershall (which had bin given and graunted by his predecessor), to the monkes of Lenton in Nottinghamshire, to have and to hould it in puram et perpetuam eleemosynam, as freely, peaceably, quietly, and honorably as Hugo de Burun (who gave certain lands to that monastery and became a monke) had held the same."

This account, furnished by Hollinworth, inaccurate in point of date, will be illustrated by an extract from the *Rotuli Chartarum*, vol. i, part 1, p. 56.

Anno primo Johannis. Johannes Dei gracia Rex Anglie &c.—Sciatis nos concessisse &c.—ecclesie Sancte Trinitatis de Lenton et monachis ibidem Deo servientibus * * * Concessimus et hac carta nostra confirmavimus eisdem monachis de Lenton pro salute nostra et [progenitorum] predictorum nostrorum et pro animabus Henrici Regis patris nostri et Henrici Regis avi patris nostri et antecessorum nostrorum hermitagium de Kershal cum omnibus pertinenciis suis in liberam puram et perpetuam elemosinam Quare volumus et firmiter precipimus ut predicti monachi nostri libere et quiete in pace et honorifice teneant predictum hermitagium sic[ut] Hugo de Burun monachus eorum liberius et quietius tenuit.

We also learn from the foregoing document that the Hugo de Burun, who, as I have recorded, gave various lands at Cotegrave, in Derbyshire, and elsewhere to the priory of Lenton, assumed the cowl, and retired, as a Cluniac monk, to the hermitage of Kersall, of which he became the first monk. This recluse was the grandfather of Robert de Burun, who, in the 1st of John, married Cecilia, daughter and heiress of Sir Richard Clayton, whence sprang the Lancashire families of the Byrons of Clayton, and Barons of Rochdale.—[Baines's Lancashire, vol. ii, p. 617.]

But to return to the hermitage of Kersall. It would appear that some of the land contiguous to the cell of Kersall, had been in possession of the Hulton family, and it is not improbable that, with the view of adding to the land of the hermitage at Kersall, Jornocchio [or Jorwerth] de Hulton was allowed, in the same year, to surrender certain possessions, namely, the woods of Barton and the wood of Kershall, in excambion for the crown lands of Pendleton villa, in the parish of Eccles.

The lands of Pendleton, thus acquired by the Hulton family, were described, at first, as "Penes

Hulton," whence the subsequent corruptions of Penhulton, Pennelton, Penelton, Penyelton, and, lastly, Pendleton.

§ 9. ROBERT GRESLET RESISTS THE TYRANNY OF KING JOHN.

In 1215, during the quarrel of the king with his barons, in which England became tributary to the Roman see, Innocent the Third excommunicated all such as were employed in invading John's dominions, or otherwise rendering aid to his enemies at home or abroad. Among many barons thus placed under the censure of the church, was "Robert de Gressei," or Greslet.

Two years afterwards, in the 17th of John, we find Robert de Greslet present when Magna Charta was signed. His name was appended to a deed dated on the 20th of June.

In the course of the year following he appeared in Rutland and in Leicestershire, where he was in arms against the king, upon which, Adam de Yealand was ordered to seize, for the use of the crown, the castle of Manchester, as is shewn in John's epistle to the sheriff of Lancaster, dated on the 7th of February, in the seventeenth year of his reign. "The king to the sheriff of Lancaster, health. Know, that we have committed to our beloved and faithful Adam de Yeland the castle of Robert Greslet of Maincestr, with all appurtenances, and all the land of the same Robert which he had within the Lyme [infra Lymam] to be held so long as it shall please us. Wherefore we also command, that you may direct full saine to be made to the same Adam of the aforesaid castle, with appurtenances, and of the said land within the Lyme."—[From the Rotuli Litterarum Pat., vol. i, part 1, p. 165.]

There is no question but that by this castle old Mancastle was implied, which, notwithstanding a subsequent removal of the baronial residence from Alport to a newer site near the confluence of the Irk and the Irwell, would still be kept up for purposes of defence, as a garrison to the town. This seems, however, to have been the last occasion when old Mancastle was recorded in history. It is stated that while this order for the seizure of Manchester continued in force, Ranulph de Blundeville, the sixth Earl of Chester, who had then the custody of the Honour of Lancaster, executed the office of sheriff by his deputies; and, as Robert Greslet had taken part with the rebellious lords, his earldom was forfeited and seized.

The king, however, was desirous to give the baron of Manchester the opportunity of renewing his adherence to the crown, and sent letters of safeguard, dated from the day of Circumcision, in

the seventeenth year of his reign, A.D., 1216, to last three weeks. He also granted to William Maresa, the younger, and to Hugo de Vivian, all the land which was Robert Greslet's, in order that wherewithal they might be enabled to better support the royal cause—which cause, however, was far too tottering for orders such as these to be executed.—[Rot. Litt. Patent., vol. i, part 1, p. 162 and 169; and Rot. Litt. Claus., p. 311 and 313.]

During the continuance of the reign of John, spiritual dominion, or the influence of the clergy, waxed still stronger, while the temporal power fell into a nullity. This progress, however, of the church towards domination, was not made without great efforts of resistance by the temporal authorities. The barons having been excommunicated, and Magna Charta having been adjudged by the pope to be degrading to his vassal the king of England, the nobles in revenge offered the kingdom to the French, which offer was the signal of a bloody war. But, in the mean time, the reign of John was drawing to a close. During his military progress from Lynn to Sleaford, while crossing the Lincolnshire marshes, after having lost the whole of his baggage and narrowly escaped with his life, he rested at the monastery of Swineshead (founded by the ancestors of Robert Greslet), where, from fatigue and anxiety, he died.

After this event a new state of things ensued, and Robert Greslet found himself in quiet possession of his estates in Lancashire and other counties.

§ 10. ALBERT DE NEVILLE, RECTOR OF MANCHESTER.

In the Rotuli Curie regis, vol. ii, p. 161 and 184, we find the name mentioned of an Albert de Neville, who, like many other succeeding rectors of Manchester, seems to have been as much, or nearly so, employed in the secular concerns of his patron, as in the spiritual affairs of his incumbency. Robert Greslet, during the troubles of the reign of John, had been called to account for having broken his surety, or pledge, in detaining and assaulting Hugo Scott, a deputy lieutenant of Rutland, in the course of his duty. Accordingly, in the law plea which ensued to determine the extent of the injury, Robert Grelle is said to have nominated in his place Albert de Neville, that is, made him his attorney, while Hugo Scott appointed on his side Robert the Clerk.

That an Albert Neville was rector of Manchester is proved from a document discovered by the late Mr. Palmer, architect, of Manchester, among records collected by Keurden, and deposited with the College of Arms. It is the copy of a deed, in which Albert de Neville conveys land in Newton

to a member of the Byron family,—which family had about this time acquired, by marriage, some estates in the neighbourhood of Manchester. Thus we read of a Robert de Byron, who having married Cecilia, daughter and heiress of the lord of Clayton, became possessed of the manor of Rochdale; but, it is added, that Failesworth and Droylsden were afterwards added to the estates of the family. In the present deed (which I fear is rather imperfectly transcribed), we meet with a John de Buran [or Byron].

Nouerint presentes q'd Albertus de Neuille rector ecclesiæ beatæ Mariæ de Manchester de' [dedit]. Joh'i de Buran pro hom'gio suo qu'ndam ptem terræ meæ in Newton infra [intra?] has divisas vid't incipiendo à Medelac p Shitefaldclogh [the abruptly shelving clough? A. S.] ascend' usque ad Blacklash et p Blacklash ascend' usque ad caput de Kirksagh et sic usque in rivulum de Faylsworth et descend' usque ad Medalach descend' usque ad Shitefaldclogh Hab' de me redd' 3 $\frac{1}{4}$ [3 solid' et 4 denar'?] [et?] 2 cerios 1^{be} ad Ass'. B'. Mariæ. Test' H. de Neuille Walt de.....Roberto de Astuton [Ashton?] Ricō de Bureen Rob'to de Bureen Rog' de Middleton Alex' de Pilkington Jordano Noreues H de Trafford Rad de Moston Ricō Clerico.

It would thus appear that Albert de Neville conveys to John de Byron certain lands in Newton (the boundaries of which are carefully particularised), in consideration of a rent of three shillings and fourpence annually, and two wax candles of a pound weight, to be paid at the feast of the Assumption of the Blessed Mary.

§ 11. WAS ALBERT NEVILLE A DEAN RURAL AS WELL AS RECTOR OF MANCHESTER?

As the first recorded name of the rectors of Manchester is that of "Albert Neville," the question before us is suggested by the assertion of Mr. Whittaker, in his history of Manchester, that, from the seventh century, the persona ecclesiæ of Manchester was a rural dean. But with whatever success the inquiry may have been treated by the historian of Manchester, a far more important light has been thrown upon the character of the rural deans of England by the elaborate researches of Mr. Dansey. In expressing, therefore, my very great obligations to the reverend and erudite author of the *Horæ Decanicæ Rurales*, for the assistance which he has rendered me in the course of this inquiry, I shall refer in a general manner to his work for most of the information on the subject of rural deans, which will appear in the subsequent pages of this work.—[*Horæ Decanicæ Rurales*, &c. By William Dansey, A.M., &c., 2 vols., 1835.]

It has been already shewn, that upon the abolition of rural bishops (chorepiscopi or periodeutes) presiding over regions surrounding the chief city of the urban bishop, it was common to appoint for each district a parochial visiter, named an archipresbyter, or archpriest;—"presbyterorum primus præfectus." In some districts, however, ten parishes, ten churches, or ten priests were variously assigned to the superintendence of the archpriest, when he became a decanus, or dean; while, at the same time, a decanatus, or deanery, expressed a tract of country in which were ten parishes, or, otherwise, ten churches. It would likewise appear that many bishops divided their respective dioceses into decennaries, deaneries, or tithings, each of which was the district of an archpriest, now named a rural dean, who exercised his functions under the title of decanus episcopi. The date in which such a distribution occurred is assigned to the close of the eighth, or the beginning of the ninth century. But there is no evidence to shew that the modelling of archipresbyterates into rural deaneries was universal in England. It is merely urged that when such a modification did actually occur, the archpriest previously existing in an ecclesiastical district, acquired the new title of rural dean.—"Archipresbyteri qui et decani rurales appellantur."

The origin of this very early and systematic aggregation of ten persons, or localities, over which a decanus was the president, is lost in the mists of antiquity. In the civil constitution of the Saxons, the decenna was the compass of mutual responsibility, within which each man was pledged; it included ten householders, who were severally bound for the peaceable behaviour of each other. In the ecclesiastical institutes, not only of the Saxons, but of certain other nations of Christendom, the decanus, or dean, like the decennarius, or chief person of ten householders, was the president of ten persons, or places, or of both together: for instance, in monasteries, he was the president over ten monks;—decanos vocant eò quòd sint denis præpositi;—in metropolitan towns, or cathedrals, over ten prebendaries; and in a group of rural churches, over ten clerks, &c.

Mr. Whittaker, without the shadow even of a proof, has placed a dean rural in Manchester so early as the seventh century. But Mr. Dansey conceives that it was not until the eleventh century that, with the view of bringing multiplied parochial cures within the pale of discipline, a certain number of incumbencies, or presbyteries, were thrown together, so as to constitute an archipresbyterate (districtus archipresbyteri ruralis), over which the elder priest (the archipresbyter) presided. In 1052, such an archpriest is recorded in

England under the title of *decanus episcopi*. He took cognizance of any violation of the peace within his deanery, and, conjointly with the earl and the king, received a share of the amercement, or fine, of eight pounds awarded upon it;—the king's share being one hundred shillings,—the earl's fifty,—while the dean received the remaining ten shillings, the number of which was symbolic of his office of *decanus*, or *decennarius*:—"Decanus autem episcopi in cuius decanatu pax fracta fuerit reliquos decem."

After an archipresbyterate had been thus modelled into a decanate, it is supposed, by Mr. Dansey, that the office became somewhat secularised, and that the *decanus episcopi* was converted into a sort of country magistrate, and was empowered to have the sole inspection of the group of clergy and laity among whom he dwelt; that he was less a mere diocesan mandatory, than a local incumbent, invested with a capacity to visit and correct defaults within the sphere of his jurisdiction. Nor was it an office much coveted:—"Ruralis archipresbyter non dignitas est, sed simpliciter ad episcopi voluntatem revocabile officium."

It is thus shewn, that instead of a dean rural having existed in Manchester so early as the seventh century, according to the proofless assertion of Whittaker, there is no evidence of his identification in England previous to the eleventh century. During the twelfth century, the name of dean rural becomes much more familiar to us. In the sister kingdom of Ireland there existed the "*Corb*" (deduced by a barbarous contraction from *chorepiscopus*), who, in 1152, was succeeded by the dean rural. The churches which had been the seats of prelaties were made the capitals of deaneries; and, in lieu of the *chorepiscopi*, there was instituted in them archpriests, or rural deans. In 1175, a rural dean is recorded in Norfolk; and, in 1186, a dean of Craven was, according to Whittaker (the historian of Whalley), rector of Arncliffe, in Yorkshire.

The rural dean having been thus traced from the eleventh to the close of the twelfth century, we naturally arrive at the question,—If, at the close of the reign of John, or during the commencement of that of Henry the Third, a dean rural was to be found in Manchester?

It is certain, that the absence of any such a title in the designation of Albert de Neville, who merely styles himself "*Rector of the Church of the Blessed Mary of Manchester*," discountenances any assumption of the kind, and even tends to the direct invalidation of what Whittaker has advanced. At the same time there is no ground for the disbelief that Manchester did not, in the twelfth century, form a central parish within a group of ten similar

districts, such as can be proved to have subsisted a century later. But it must be kept in view, that any one of the personæ ecclesiæ, to be found in such an aggregate of parishes, might have been created by the bishop a superintendent over the whole, in the quality of a dean rural.

The proper inquiry then is,—Which of the incumbents contained within the rural deanery of Manchester held, at the close of the twelfth century, the office of rural dean? Was it the incumbent of Manchester, Eccles, Prestwich, Bury, Middleton, Rochdale, Ashton, Flixton, Blackburn, or even Whalley?

The question cannot be answered by any known existing records. Nor is there any reason for supposing that the rector of Manchester was also of necessity the rural dean. On the contrary, we are assured that the *decanus ruralis non est perpetuus*—sed est amotivus ab officio ad nutum superioris, cuius est minister.—[*Decan. Rur.*, vol. i, p. 144.]

§ 12. THE REVERENCE WITH WHICH THE CLUNIAN MONKS OF KERSALL WERE HELD.

The fame of the Cluniac order had at this time attained so great a height of celebrity, that there was scarcely any place in Europe where the order was not known. By the supreme dignitary, or abbot, of Clugni, Christendom was divided into ten provinces, generally containing more or fewer establishments of their order, of which England and Scotland formed one united province. Within the priory of Lenton, in Nottinghamshire, the establishment of the order was supported with no little cost. There was a great prior, deans, a cloister-prior, chanters, masters for the boys, a prechanter, a cupboard keeper, who kept the books in use for the church, chamberlains, who took care of the clothing, a treasurer, a cellarer [a master of the guests], an almoner, and an infirmary keeper.

Some curious incidents are recorded of the Cluniac rule, from which it will be inferred, that the monks introduced to the cell of Kershall were devout, abstemious, charitable to the indigent (among whom they distributed what was left in their refectory), hospitable to poor travellers, promoters of the cultivation of music, and assiduous in the labour of public education. To their object in fixing their cell, or cells, near the dangerous fords of the Irwell, sufficient explanation has been already given.

These estimable qualities form prominent traits in recommendation of their discipline, which otherwise might appear trifling, and even fastidious.

Thus, among various observances, they were remarkable for the extraordinary care with which they solemnized the sacrifice of the mass. In prepar-

ing the bread used for the Holy Eucharist, they selected the wheat grain by grain, washing it carefully and transferring it to a bag devoted solely to that sacred use. This bag they entrusted to a servant, a just man, who carried it to the mill, the grindstones of which had been previously washed and covered with curtains above and below. The servant then put on an alb [an ample white linen tunic with sleeves], and covered his face with a veil, through which nothing but his eyes appeared. The meal underwent a similar precaution, and was not boulted until it had been well washed. The warden of the church, or, in his absence, a deacon, next appeared, who with two other fellow-labourers, monks of the Cluniac order, aided by a lay brother specially appointed for the purpose, completed the holy task. After matins were ended, these four men washed their faces and hands. The lay brother then retired. The remaining three put on albs, and while one of them washed the meal with pure clean water, the other two baked the hosts in the iron moulds. In their devotions they sang every day two masses. On the three days before Easter, all the monks received the communion. Upon Holy Thursday, if any one celebrated the ordinary mass before the grand or solemn mass was sung, he made use of no new light, because the new fire had not then been blessed.

Music and singing were highly cultivated by the Cluniac monks, who brought up boys of good family, arrayed in the habit of their order, to serve as choristers. After the 13th of November, upon the conclusion of matins, the elders would remain in the choir, while the younger monks would retire for the purpose of being taught to sing. It is even recorded, that while the monks were at work, they recited the Psalms.

In the course of these regular exercises, they were careful that no one among them should be interrupted by vain discourse. Silence by day and by night was strictly observed,—not to be broken before the hour of prime, when they made use of signs instead of words.

Their abstemiousness was much commended. After the 13th of September, one meal only was allowed, except on festivals of twelve lessons, or within the octaves of Christmas and the Epiphany, when they had two meals. After complin [or completorium, the last service of the day] they were never permitted to eat anything, nor to receive any gifts.

Their charity was great. All the remains of the bread and wine, saved each day in the refectory, were distributed among poor travellers. During Lent, their bounty was profusely shewn in their gifts to the indigent of salt fish and other alms.

Moral vigilance was greatly promoted among them by a mutual and public declaration of faults.

And, lastly, the cause of education was advanced. Young people committed to their charge were brought up with exemplary care, who, it is stated, had the same education bestowed upon them that the sons of princes received within the mansions of the great.

From this account which has been handed down to us of the customs of the monks of Clugni, as they were met with in England as well as abroad, it will be at once seen how valuable the small religious community of Kershal, perhaps not exceeding twelve in number, must have been to the social state of the towns and vicinity of Manchester and Salford.

Some proofs of the reverence with which the monks of Kershal were regarded, are capable of being traced. The parishioners of Manchester sought for the ecclesiastical sacraments of Kershal, in preference to such as were administered by the secular clergy of the mother church of Manchester. They tendered these monks oblations, in return for the last solemn offices administered to the dying, and for the holy rites of sepulture.

On the other hand, nothing can be more unsatisfactory than the earliest known state of the secular clergy of Manchester, as portrayed by the parishioners of the town in a solemn protest made during the fifteenth century, upon the occasion of the Manchester College being founded. They alleged that, in by-gone days, the rectors had been very rarely [perraro] accustomed to personally reside in the parish;—that sacred offices had been filled by stipendiary and remote chaplains,—that there was a great neglect of the cure of souls,—a diminution of hospitality,—and a defrauding of the support of the poor.

Although it is highly probable that tradition might have exaggerated this early state of the Manchester church,—yet that there existed some grounds for the serious charge, is open to no reasonable doubt whatever.

§ 13. ALBERT DE NEVILLE RESISTS THE INFLUENCE WHICH THE MONKS OF KERSALL HAD ACQUIRED OVER THE PARISHIONERS OF MANCHESTER.

The charge of Albert de Neville against the monks of Kershal was threefold:—

First, he complained, that the lands which had been granted by charitable founders to the cell of Kershal, paid no tithes to the mother church of Manchester. Now, it is certain that at this particular period, among other inconveniences in the founding of monasteries, the alienating of parochial

tithes towards their support was one of the foremost, which was not corrected until the close of the reign of Henry the Third. In the mean time, Albert de Neville resisted this appropriation of tithes, and induced the prior of Lenton [the superior of the attached cell of Kershal] to agree, that he would pay two shillings annually in lieu of tithes, so long as he should cultivate the land appertaining to the monks at his own expense.

In the second place, with regard to the complaint that the monks of Kershal administered the rites of sepulture to the prejudice of the mother church of Manchester, the prior of Lenton promised, that no parishioner for the future should be admitted to the rites of burial; and, as a peace-offering for the cemetery thus reserved exclusively for the monks of Kershal, he consented to pay annually two wax tapers, of a pound and a half in weight, at the feast of the Assumption of the Blessed Mary.

And, thirdly, the prior of Lenton consented that the parishioners of Manchester should not be admitted for the future to any ecclesiastical sacraments, in return for oblations.

It must be confessed that the rector of Manchester drove rather a hard bargain with the worthy prior. A copy of the deed of agreement was copied for me by the late Mr. Palmer, from the manuscript collections of Kuerden, in the possession of the College at Arms.

Omnibus sancte matris ecclesie filiis E. Eliene Ep W Priori de Bracerval &c. Inter A de Nevill rectorem de Manchester et priorem de Lenton sup' cimiterium de Kersal et ejusdem loci decim' sc: Prior prestabit an'uatim pro bene pa'e cemet'rii ecclesie de Manchester ij cerios j^l^{bs} et dim' ad Ass beate Marie Et Prior promisit q'd nullus parochianus Matricis ecclesie de Manchester admitt' ad aliq' ecclesiastica sacramenta ad oblationem et sepulturam Et ij sol' pro decimis illius loci dum terram illam propriis sumptibus excol'nt dabunt. Test. M'ro Rob de Ebor M'ro Jo'de Templo Mro Olivera Mro H de Kent Mro Rob de Bosco et aliis.

The date of this deed is indicated by the mention which is made of Eustachius Eliensis, who was bishop from 1198 to 1219. The name of the prior of Lenton is uncertain. Nothing is known of the first who is recorded in the archives of the monastery, except that his name was "Peter." He was elected not far from this time, namely, in the 14th of John, 1213.

It may lastly be observed, that this litigation between the rector of Manchester and the prior of Lenton, is in perfect keeping with the violent contentions which had commenced in the time of

Henry the Second, between the regular and secular orders,—contentions which were continued without intermission in succeeding reigns. The monks, who professed that they were subject to no jurisdiction except that of the holy see, resisted any interference with their privileges on the part of the metropolitan and bishops, and asserted their exclusive right to institute to all benefices belonging to their presentations. But this collision of interests did not even end with the question of benefices. In whatever part of England a religious house was founded, some contention or other with the parochial clergy inevitably followed.

In Manchester, as well as in other parts of Lancashire, it will be evident, that the regular orders were a popular party. Thus, about the present time, Roger de Lacye made over the church of Rochdale to the abbey of Stanlaw, which was followed up by a munificent grant of Andrew de Merland of lands in Spotland.

Preaching and minor friars had also appeared about the reigns of John and Henry the Third, who in their teaching usurped the functions of professors, and thus added still more to the spiritual influence exercised by the monastic orders.

§ 14. ROBERT GRESLET RESIDES AT MANCHESTER.

According to Keurden, Robert Greslet was the first of the Greslet family who made Manchester his chief place of residence; but the question is, whether he dwelt at Mancastle, situated in Aldport [or the old town], or, otherwise, at the more northerly and later fortified site of the Baron's Hull, near the confluence of the Irk and the Irwell.

Many centuries after the departure of the Romans, the castrum continued to subsist, which, according to Whittaker, was an irregular parallelogram one hundred and forty yards long, bounded on the southerly side for an extent of one hundred and seventy-five yards by the irregular course of the Medelach, on the west by a high bank and morass, on the north by a long and broad ditch, and, on the east, for the distance of a hundred and forty yards, by an artificial fosse. Within this fortified enclosure stood the old Saxon fortress of Mancastle, built by Edward the Elder, which, in the Norman era, does not appear to have been entirely abandoned, as there was found about seventy years ago, near its site, a large manorial sword about five feet three inches long, which was evidently a sword of state, used on formal or ceremonial occasions, when the baron held his court and view of frank pledge, or when an oath of fealty was administered to his vassals. But it is a question, if the castle was then considered

habitable, or a fit residence for the lord of the barony.

Mancastle was then described as contained within the park of Aldport, about a mile in circumference, through the middle of which ran the Medelach. The grounds exhibited a valuable investment of oak, and were in the process of being used as a pannage, or pasture of hogs. According to a manorial survey of a later date, Aldport yielded an aery of hawks, together with herons, eagles, honey, and bees.

From the site of Aldport, or the older town, might be traced, in a northerly direction, the ancient Roman road leading eventually to Ribchester, the supposed *Coccium* of the *Itineraries*. In quitting the Mancunian station, the road traversed a locality, variously named the Brendorchard, or Walles Green, which is described as lying between Aldport and the rectory of Manchester.

The rectory of Manchester, indicated by the site which is still named "the Parsonage," lay at a distance of half a mile from Aldport, on the westerly limit of the Ribchester road. It was at the entrance of the newer town.

Opposite to the Parsonage, on the easterly side of the road, was a site of ground, amounting to about six acres and a half, whereon an ancient fair was held. It is also a conjecture, but nothing more, that, adjoining to this site, a church had been built, which was dedicated to Saint Matthew.

To the north of the Parsonage, on each side of the Ribchester road, we may suppose the houses of the newer town of Manchester to have been built, which at least extended as far as St. Mary's-gate, so named as the avenue which led to the parochial church of the town. Whether, during the time of Robert Greslet, Manchester was continued much further north may be doubted.

Beyond this point the Ribchester road was diverted by a gradual descent towards the west, to the chief passage across the Irwell, named Salford; while its continuance in a northerly direction was interrupted at right angles by the presence of a deep dell, named, in Lancashire and other northerly counties, a *DENE*, signifying, according to Dr. Bosworth, in his *Anglo-Saxon glossary*, "a valley." This dene, or natural ravine, contributed to the enclosure and defence of a peninsular area of ground, doomed to be the future residence of Robert Greslet. It formed the channel of a small stream, caused by the drainage of certain lands to the north-east of the town, which, in turning an ancient mill, imparted its name to the "Old Mill-gate," of Manchester,

and then fell into the bed of the Irwell, near the ford or crossing place of Salford.

The ground, thus naturally fortified, was bounded on the west by high banks and the waters of the Irwell; and on the north by the river Irke, near its confluence with the Irwell. On the north-east, however, a small space intervened between the Irke and the commencement of the dene, or valley, which became artificially strengthened by a fosse. The remaining portion of the defence, on the east and south, was formed by the dene.

There is a very great probability, that when Saxon Manchester was first removed to its more northerly site, this peninsular area, thus naturally fortified, would suggest to the thegn a convenient place for habitation. But there is a very great doubt whether much of the artificial modelling had taken place before the time of Robert Greslet, who, according to Kuerden, was the first Norman baron reported to have dwelt in Manchester. From this time, the name which it bore in ancient charters would be first applied to it, namely, of "the Baron's Hull,"—the term "hull," according to Dr. Bosworth, being a Saxon expression for "hill."

Lastly it may be mentioned, that the portion of the Roman road leading north from Aldport, until it was met at right angles by the dene, or valley by which the Baron's Hull was fortified, thence acquired the name of the Dene's-gate, now a crowded street of Manchester. The Roman road, after descending within the valley, or dene, was conducted across the rivulet, near a spot still known by the name of the Hanging-bridge, from which it ascended to the level of the peninsular site just described, and thence along the high bank of the Irwell to the Irke, which it crossed near its confluence with the Irwell. At this point, therefore, we shall quit the Ribchester road, which was directed towards Strangeways and Stony Knolls, and thence to its ultimate destination, in order to describe the civil jurisdiction which Robert Greslet exercised over the barony of Manchester.

§ 15. THE CIVIL JURISDICTION OF ROBERT GRESLET.

It has been the remark of later historians, that the Conqueror did not make that extensive change in Saxon institutions which has been ascribed to him;—and as for William Rufus, he was too much employed during the thirteen years of his reign in securing himself from baronial conspiracies, to busy himself in remodelling the internal constitution of the kingdom. Neither did Henry the First do much more than sanction the permission, that a few old edicts should fall into disuetude.

Under these circumstances, the spirit of the Anglo-Saxon laws continued in full force during the eleventh, twelfth, and even thirteenth centuries, the rationale of which may be now described.

The system of Saxon jurisdiction was based upon two principles, namely, residence and a mutual pledge of responsibility to the laws, whereby was produced, in every habitable district, an efficient local police. Thus, in the reign of Edward the Elder, the folk-mote, or king's gemote, was held in divers parts of the kingdom, to which all men having a fixed residence were compelled to do suit and service, pledging themselves to unite as sworn brethren (*conjurati fratres*) to keep the king's peace.

Again, in the course of events, local judiciary divisions were organised under the general name of shires, over which, in Saxon times, an officer of the king, or princeps, often in conjunction with a bishop, presided. He was usually an earl, or eolderman, who bore the name of reeve (*præpositus*).

The duty of shire-reeves extended over hundreds, or wapentakes [variously named shires, as, for instance, Salfordshire], as well as over the larger counties. The shire-reeve, or sheriff, preserved the king's peace by rendering it imperative on every man by his own oath, and by his pledges, to be forthcoming at all times, to do what justice required of him at the mote of the shire, within which he was localised.

The sheriff's tourn, or circuit, was generally made twice a year, namely, once at Easter and again after the feast of Saint Michael, when the mutual pledge of all persons was received, so as to constitute "the view of frank pledge." Every one who owned land and house was required to be put in decennary, that is, under the mutual pledge of ten householders, who, when thus linked together, formed a decenna, dizeine, or dozein. He was also enjoined obedience to the chief pledge of his decenna [the *decennarius*], as well as to the king.

It was likewise required that retainers or domestics should be in manupast pledge, because no one might turn away his servant until purged of all crimes with which he might have been previously charged. He who was at board and clothing, or at board only, was regarded as a menial, or hireling of the house, of the "manupast" class of domestics, for whom the master was amenable. Even guests of three nights, for whom the host became responsible, were required to be in pledge. In short, every resiant, or householder, was made responsible for the due regulation of his house and the conduct of his guests, or inmates, and if any infraction of the pledge occurred, compensa-

tion was made in the hundred, wapentake, or barony, to which the offender belonged. Persons were also sworn to make public inquiries, and to decide public allegations. Nor, according to the laws of Edgar, could any one appeal to the king, unless he was denied law and right at his own domicil.

The penalty of a man not rendering himself "law-worthy," or under the protection of the law, was very great. According to the edicts of King Edgar, any one who did not attend the gemote was "a laughesman," and the same if he withdrew himself from judgment. A limitation of forty days was assigned to excuses for not appearing, unless gone to Jerusalem, when a year and a day were conceded;—but failing, *omnem legem terræ amittet*. Minors, however, could not be outlawed before they were twelve years of age, because before that time they were not under law, nor in decenna. As for women, they could not, under any circumstances, be outlawed, because they were not "in laugh," that is, in frank pledge or decenna.

Originally, the jurisdiction of Manchester was involved in the more general one of the shire, or wapentake of Salford, within which the town was comprehended. But, subsequently to the Conquest, the wapentake of Salford became greatly reduced in the sphere of its jurisdiction. This was in consequence of the extensive grants of baronies and manors which ensued;—such grants having been accompanied with the privileges of holding lords' courts. It was likewise a maxim of law, laid down in the reign of Henry the First, that a man of one manor was not obliged to plead in another locality; and that persons were subject to legal responsibilities only where they resided. Hence it followed, that in the time of Robert Greslet, little more was meant by the wapentake of Salford than the jurisdiction of a few manorial possessions diffused throughout the hundred. At the same time, the lords of such manors as had been exonerated, or nearly so, from the more general jurisdiction of the wapentake or hundred, among whom was the baron of Manchester, were still held under the obligation to render personal suit and service at the older court.

The town and wapentake of Salford have been described as the hereditary possession of the earls of Chester, but owing to Ranulf de Blundeville's frequent absence in the wars, the wapentake had been held, in the 1st of John, by Elias Fitz-Robert by sergeanty, and in the year 1228 by William de Ferrars.

The exact number of baronial lands, or manors, included within the immediate jurisdiction or

wapentake of Salford, in the time of Henry the Third, is unknown; but, in the early part of Edward the Second's reign, the proprietors who owed fealty to the lord of the wapentake, possessed lands, some of them widely dispersed, which may be described in their respective geographical bearings from the town of Salford, after the following manner:—To the north-east, north and north-west, Chetham, Burgh town, Prestwich, Tongue, Holonet [Hollinhurst?], Sholesworth [Sholver, near Royton?], and even such remote localities as Blackrod and Rivington;—nearer to Salford, on the west, Ordsall, Penulbery, Clifton, and Werkslegh, and, on the south-west, Flixton, and Cadeulheued [Cadishead?];—on the south, Hulme, Chorlton, and Radish.—[Harleian MSS. apud Baiges, vol. ii, p. 144.]

To the family of the Greslets a very early grant of baronial jurisdiction, distinct or separated from that of the wapentake of Salford, had been conceded. This is shewn in a record of the fourteenth century, where it was formally pronounced, that "time out of mind," the town of Manchester had been held as a market town, enjoying certain privileges as soc, sac, toll, them, infangtheof and outfangtheof, waif and stray, gallows and tumbrel, and punishment of butchers, tanners, and retailers.

Soc has been supposed to generally imply the privilege of separate and distinct jurisdiction over the territory which belonged to, or owed fealty to the lord;—Sac, to indicate the privilege of taking the issues and profits of the court;—Toll, to express the lord's profit from buying and selling;—Them, to relate to the forfeiture of stolen goods;—Infangtheof, to denote the competency of a lord to judge any thief arraigned within his fee;—Outfangtheof, to mean the power whereby a lord could summon any man dwelling within his manor to judgment in his own court, although taken for felony in another place out of his fee;—and Waif and Stray, to signify that the goods stolen and waived, or left by the felon, when for fear of apprehension he absconded, became forfeited to the lord of the manor.—The tumbrel, or cuckstool, in use among the Saxons, was named in the *Dom-Boc* the *cathedra stercoraria*. The Manchester stool, shaped like the well-known Lateran chair of stone, was, according to Whittaker, who wrote in 1775, an open-bottomed chair of wood placed upon the end of a long pole, balanced upon a pivot, and suspended over the large collection of water (an expansion of the river Tib) at Pool-house, or Pool-fold. This site was also called the "Plungeon or Plunging-field," a name which, in the seventeenth century, gave rise to the vulgar

term of obloquy bestowed upon the Presbyterian meeting-house, north of Tib-lane, of "Saint Plungeon's Chapel." The tumbrel was afterwards removed to the water of Daub Holes, now the Infirmary pond, where, as Whittaker adds, it was used to punish common scolds and common prostitutes. The same author remarks, that the brewer of bad ale was often placed on the tumbrel, or, in commutation for this punishment, was fined four shillings.—It is uncertain where the *furæ*, or gallows, were placed,—perhaps on the rising ground near Tib-lane, adjacent to the ancient "plunging field;"—nothing having been more common in feudal times than the mutual propinquity of "pit and gallows." Near the town of Salford, according to Whittaker, the existence of a gallows long gave its odious name, "the Gallows-field," to a site of ground leading from Boat-house-lane towards the Lock, and opposite to the Great Hulme Meadow.

It may be remarked, in the next place, that the manors, forests, and various infefments included within the barony of Manchester, were straggling in the extreme; the interval, for instance, between such remote points as Heton Norris on the Mersey and Brockholes on the Ribble, or, on the other hand, between Ashton-under-Line on the Tame and Childwall in the West Derby Hundred, being respectively no less than thirty-five miles. Hence, the barony was conveniently divided, in reference to the surveillance necessary to the functions of the lord's bailiffs, into two bailiwicks, namely, into an upper and into a lower bailiwick. As the support of the bailiff and his assistants was thrown upon the tenants, we learn, from manorial details connected with the enforcement of this regulation, the geographical limits of the two bailiwicks.

In the upper bailiwick of Manchester, which comprised the places most distant from Manchester, namely, such manors, woods, &c., as were found in the Amounderness Hundred, in Leyland Hundred, in West Derby Hundred, or in the more northerly portion of Salford Hundred, we learn that the bailiff and his retinue were to be supported "by the tenants of Farneworth, Heton under the Forest, Little Leure, Anderton, Burnehill, Anlasagh, the moiety of Sharples, Smithell, Westhalchton, Childwall with its members, Dalton, Parbold, Worthington, Writington, Tourton, Bradshagh, Harewood, Halliwell, Brockholes, Rumworth, Loster, Aspull, Midlewood in Hulton, Pilkington, and Longeworth."

The lower bailiwick included all the places within a circuit of not more than six or seven miles in distance from the town of Manchester. The tenantry under the obligation of supporting

the lord's bailiff, were distributed into groups after the following manner:—1st, "of Barton, Flixton, Maunton, Wygleswyke, Irwelham, Hulme, Bromyhurst;"—2ndly, "of Whittinton, Dittsbury, Barlow, Cholerton, Denton, Hallerton (?) [variously Holnton?], Bercles (?), Lywensholme, and le Brockel;"—3rdly, "of Ashton-under-Line, with its members;"—and 4thly, "of Moston, Notehurst, Hulme, near Aldport, and Heton Norres."

The lord's bailiff who had the general charge of these two bailiwicks, was variously named the lord's sergeant. But he was still more frequently stiled **THE GRITH SERGEANT**, which has been correctly interpreted in manorial records as "the keeper of the peace." But it is curious that the term **GRID** is not only an old Frisian but an Icelandic word, frequently met with in the usages of the Scandinavian lawling,—which word (*grid*, or *grith*, **PEACE**) had been probably introduced in Manchester during the sojourning of the Danes.

From the various tenants described, the grith sergeant had support for himself, his boy and horse, and four sub-bailiffs. His functions were to ride about and overlook the lord's demesne, to collect the rents of the lord's out-tenants, to make levies whenever tenants incurred the lord's misericordia (an arbitrary amercement), and to summon or attach transgressors against the liberties of the barony. As this was a very lucrative office, the lord regarded it with some little degree of jealousy, and, therefore, thought proper to require that the grith sergeant should render, for his bailiwick, an annual sum of forty shillings for himself and his retinue.

Some few details of the mode in which the grith sergeant discharged his functions are recorded.

Whenever it became necessary that this officer should visit any particular district in the execution of his duty, proper warning was given to the tenants thereof, who were required to supply him with bread, ale, and victuals, "according to the season," as well as provender for his horse. The order was accompanied by a corresponding demand for the subsistence of the grith sergeant's boy and four sub-bailiffs; but, in this latter case, the food was limited to such only as was usual in the household upon which they might be quartered.

When it was required that some one of the bailiffs should make a distress or attachment, this duty, upon an emergency, might be transferred to any one of the tenants, who would necessarily be sworn to the execution thereof. By virtue also of a custom called "sergeant's bode" (from the Danish and Swedish *bud*, and the Icelandic *bod*, signifying a message or command), every tenant as "ser-

geant's witness," who had been entrusted with making a distress or attachment, was required to give evidence of the same at the court of Manchester.

It was also generally ordered, that if any tenant failed in complying with any of the customs enjoined, he might be impleaded in the court of Manchester, there to amend the fault. At this court every trespass was to be tried by which the peace of the lord and his bailiffs was broken;—the trials to be at the suit of the bailiffs, and at the suit of the party.

The lord's court at Manchester was summoned every three weeks. It is, however, stated that other courts were held in the barony, which, for distinction's sake, were named *Hal-motes*. Of these were the *hal-motes* of Barton, Heton, and the hamlets of Manchester, at which the pleas, fines, and amerciaments were considerable.

It has been observed, that the various manors and infeftments of the upper bailiwick of the barony were diffused over a great extent of territory. Owing to this inconvenience, an extra facility was required for the adjustment of such frequent disputes among tenants as related to the extent or privileges of pasture, wood, or moor. Divers judicial localities were accordingly appointed, in which contentions of this kind had a hearing. Of these were Heton-subter-forest, Farnworth, Parva Lever, Sharples, Smithel, West Haughton, Turton, Bradshaw, Harwood, Halliwell, Rumworth, Lostock, Aspull, Middlewood in Hulton, Pilkington, Longworth, and various other places.

From the foregoing description it will be evident, that the preservation of justice, in so wide and scattered a sphere of jurisdiction as characterised the barony of Manchester, would be a charge impossible to be maintained by the personal and unaided attendance of the lord himself, or his seneschal. Hence the onerous character attached to what was called "judge's service," as is shewn in the feudal tenures of Manchester, as well as of other lordships. *Matheus filius Willielmi et Rogerus filius Willielmi tenent feodum unius militis de Roberto Gredle in Wythinton de Antiquitate et debent invenire unum judicem domino Regi.*—Alexander Pilkington also held the fourth part of a knight's fee, and furnished one judge, as by ancient tenure.

Nor was this imposition of judge's service considered to be less burdensome in other countries. It has been observed by Guizot, that among Germans, Bavarians, and Franks, where were anciently seen weekly or monthly assemblies of freemen held in every canton, the necessity of these judicial meetings was less felt in proportion as the social

state became more settled and established. It then became difficult to form such legislative convocations, for which reason coercive means were employed to compel freemen to attend. This, in fact, was the object of such clauses and conditions of tenure as are recorded of the Greslets, lords of Manchester.

At a period rather later than the time of Robert Greslet, we find the judges, who by the tenures of their lands became obliged to assist at the court of Manchester, enumerated as follows:—The lord of Childwall, the lord of the moiety of Harewood, the lord of Whittenton, the lord of Pilkington and Undesworth, the lord of Burnehill, the lord of Rumworth and Lostock, and the lord of Worthington, who owe suit and service, and who are called judges of the court of Manchester.

These officials were also said to be “judges by custom of old in tol, them, infangtheof and outfangtheof, fairs, and markets.”

But it must now be remarked, that, at this particular period, the administration of justice in England, as well as on the continent, was undergoing an important change. This was occasioned by the rise of well-trained legists, who were every where gradually taking the place of judge-chevaliers. According to Guizot, there was introduced into feudalism another judiciary system, namely, a class of men devoted to the functions of judges. At first they were charged, in the name of the sovereign, to collect the revenues, the rents of Coloni, fines, or amends. At length the proprietors of fiefs began to discountenance the judiciary power which was exercised by judge-chevaliers, giving preference to special magistrates, provosts, or baillies. In England a somewhat different process ensued. In the time of Henry the Third the fixing of the Court of Common Pleas at Westminster took place, which led to the establishment of the inns of court, where our municipal laws, which the Universities had excluded, were studied. This circumstance had no little influence in modifying the privileges of baronial courts, and in rendering them less dependent on the arbitrary caprice, or ignorance of judge-chevaliers. It is distinctly stated in the later manorial records of Manchester, that “the pleas should be conducted according to the custom of the common law of England.”

This explanation of the civil jurisdiction of the barony of Manchester will perhaps be rendered complete, by noticing its subordination to the sheriff's tourn, which took cognizance of the whole of the districts comprised within the honour of Lancaster.

King John, a year before he died, had granted to Ranulf de Blundeville, the sixth Earl of Ches-

ter, the honour of Lancaster:—“Anno 17 Joh: Rex concessit Rad' Com' Cestr' comit' Lancast' cum toto honore Lancast'. Apud Rading, 13 Apr.” As the honour of Lancaster was supposed to be vested with the crown, we must regard Ranulf as having been merely entrusted with the custody of that appendage to royalty; which custody seems to have been occasional, rather than permanent, as, in 1223, it was alternately assigned to William de Ferrars, his brother-in-law, created by King John first Earl of Derby. During many years, from the 4th to the 9th of Henry the Third, Ranulf executed the office of sheriff of Lancaster by his deputies, and, from the 10th to the 18th of the same reign, the office was in a similar manner transferred to William de Ferrars. Other individuals also appear in the list of sheriffs, by whom, unhappily, the trust was often abused.

It has been explained, that while the sheriff's tourn was held twice a year, namely, at Easter and at Michaelmas, the lord's court at Manchester was summoned every three weeks. Such as owed suit and service to the lord's court were not bound to appear at the sheriff's tourn, but simply at the court of the bailiwick wherein they were dwelling. But if any man demanded justice three successive times in the lord's court in vain, he was authorised to repair to the shire mote, or sheriff's tourn, which would appoint him a fourth day. In this respect the design of the sheriff's tourn was not only to render the mutual pledge of peace more comprehensive within the shire or hundred, but also to correct the proceedings of monthly and subordinate courts. And, in instances where lords of inferior tribunals neglected to take cognizance of criminal pleas, the jurisdiction might be claimed as belonging to the crown.

In the next place, the sheriff, as representative of his sovereign, was made responsible that every individual, whether free or bondman, within his jurisdiction, should be held either in frank pledge, or of the manupast [class of domestics] of some one. The law accordingly rendered it imperative that all archbishops, earls, or barons, who had the privileges of soc, sac, &c., should have their knights and proper servants, squires, butlers, &c., in their own fridhburg, there to be held in free pledge. It was lastly ordered, that all persons whatever, with the exception of noblemen, knights, clerks, and the like, should be bound in some place; and that every one serving with, or under the protection of an individual of higher rank in the social scale, should come under the law of manupast [or of domestic service], whereby the charge to produce him in court whenever an accusation was preferred,

became imperative upon the resiant thus held in responsibility for his family, or manupast.

§ 16. THE VIGIL OF SAINT MATTHEW, IN MANCHESTER.

A day of dedication, set apart in every church of Christendom to the honour of some tutelar saint, was ever kept with unusual rejoicing.

In the beginning of Holy Church, as the old MS. legend of Saint John the Baptist relates, the people [in imitation of the primitive *αγαπαι*, or love feasts held in churches] would, at the approach of night, wake, and, with lights burning, come to the church for their devotions; and, after this was done, would fall to lechery and songs and dances, harping and piping, and also to gluttony and sin, and so would turn the holiness to cursedness. This was called the vigil, waking, or eve of the saint.—[Hook's Church Dict., 5th ed., p. 324.]

Historians are, however, mistaken in supposing that the order of Pope Gregory the Great, for changing such riotous feasting and dissipation during a vigil into fasting, was universally successful. Although this lawless mode of celebration might have been somewhat subdued, it was not unknown in Britain at a very late date, particularly in Manchester, where the pageant of Robin Hood was celebrated within the interior of the church so late as the reign of Henry the Eighth. And as for such remote provinces as Orkney and Shetland, I could cite the authority of Brand the missionary, who has shewn that it bade defiance to the austerities of the Presbyterian discipline at so recent a period as the commencement of the eighteenth century.

In fact, all which could be effected in England, and more particularly in Lancashire, was to induce the people to build sheds and arbours round a church for the purpose of eating and drinking, whereby the devotion of prayers and offerings would, in most places, be confined to the interior of the church.

In the course of time, owing to the vigil, wake, or eve being esteemed and claimed as a part of the holiday of the church, the name of wake was applied to the entire of the celebration.

The foregoing explanation has been given with no other view than to establish the fact, that the incident of a vigil in honour of a saint, as, for instance, of Saint Matthew in Manchester, necessarily implied a feast of dedication;—while a feast of dedication, with equal certainty, pointed to the existence of a church dedicated to Saint Matthew.

It was in reasoning after this manner that Mr. Whittaker came to the conclusion, that because a prescriptive fair had been perpetuated at Knott

Mill, in Aldport, the ancient church of St. Michael, Manchester, mentioned in the Domesday survey, must have subsisted in or near that locality. In the case, however, of the vigil of Saint Matthew, the author must have considered it as an exception to the general rule; otherwise, he would never have attempted to shew, by a tissue of conjectures at perfect variance with the ancient practices of the church, that the vigil of Saint Matthew, alluded to in the royal charter, could be kept without the presence or existence of a church dedicated to the evangelist. For instance, about this very time, namely, in the 7th of Henry the Third (1222), it was ordered, in a council held at Oxford, that among other festivals of the church there should be observed, within the proper period, the day of dedication.

Regarding the circumstances which might have led to the foundation of a church dedicated to Saint Matthew, we have no records whatever. There was a MATTHEW Stauersides, to whom an ancestor of Robert Greslet gave a knight's fee in the manor of Manchester, along with other presents. After this occurrence the family name of Stauersides, as well as the knight's fee thus granted, disappear from the records of the barony,—no confirmation of the grant ever occurring. Under these circumstances it may be surmised, that the knight might have alienated "in religione" the property thus granted, for the purpose of endowing a church dedicated to his baptismal saint,—Matthew the Evangelist.

But the validity of such a supposition cannot for a moment be defended. It is a mere conjecture, hazarded for no other purpose than to stimulate to further inquiry.

§ 17. THE FAIR OF SAINT MATTHEW.

The fair, as is well known, was first occasioned by the visit of the faithful to the feast of dedication. When they met in the church yard, booths formed of branches were erected about the church, where provisions were naturally required for entertainment. Little traders were thus induced to frequent these feasts for the purpose of vending their wares, until, at length, a fair began to be considered more in the light of a commercial mart than of a religious feast.

There would at this time, namely, during the monarchy of Henry the Third, have been three fairs kept at Manchester:—

The first was held on Saint Michael's Day. Without resorting to a very forced explanation proposed by Mr. Whittaker, why it should have been celebrated near the holidays of Easter rather than on the 29th of September, it may be suf-

ficient to state, that the almanack set apart no fewer than four days in honour of the archangel, namely, the 8th of May in commemoration of the Apparition of Saint Michael, the 8th of June and the 6th of September in celebration of Michael as well as of the holy angels; and the 29th of September in honour of the archangel exclusively. As a consequence, much latitude would be given to the celebration of this feast, which can, in fact, be historically proved.

The second fair held in Manchester would be on the vigil of the mother church, namely, at the feast of the Assumption of the Blessed Mary, celebrated on the 15th of August. To this festival it has been supposed by Whittaker, that the lord of Manchester did not give a preference on two grounds, namely, that it incommoded his tenants during the midst of the harvest, and that it was interfered with by the neighbouring town of Eccles, which held a competing vigil feast and fair at the same time, equally in commemoration of the Assumption. Upon these pleas it is added, that the baron gave a preference to

The third fair,—which was held at the feast of Saint Matthew, on the 21st of September.

Mr. Whittaker has devoted much unprofitable labour towards an estimate of the causes which interfered with the days originally assigned to vigils and fairs,—such causes having had far too remote a date assigned to their respective operations. For instance, it was at a comparatively late date when the bishops gave authority for transferring the observance of wakes to more convenient days, especially to the Sundays, whereon the people could best attend to the devotion and rites required by the solemnity of days of dedication. And, in a later period, Henry the Eighth enjoined that all wakes should be kept the first Sunday in October. Lastly, when the Presbyterian religion prevailed in Manchester during the Commonwealth, an open hostility was manifested towards all saint days whatever, whereby red letter days were exchanged for black letter days. And hence, in the course of a change of style, the fair of Saint Matthew, instead of being held on Old Saint Matthew's Day, the 3rd of October, was changed to the 1st of October.

§ 18. HENRY THE THIRD GRANTS A CHARTER FOR A FAIR TO BE HELD ON THE VIGIL OF SAINT MATTHEW.

Early in the reign of Henry the Third, we find the first circumstance recorded incidental to the emergence of Manchester from the utter state of decadence into which it had sunk, after having been removed from its ancient site, adjoining to the

Roman castrum of Mancunium, or Mancastle of the Saxons, chiefly for the convenience of the safe ford across the Irwell, THE SALFORD. After having fallen under the sway of a succession of Norman barons, who very probably had never honoured the town with anything more than a brief temporary residence, it presented an exception to the state of civilization in other parts of England, which, since the Conquest, had never once halted. Although it can be proved, that with the Anglo-Saxons a barter had subsisted among foreign nations, yet commerce owed much more to the Norman chiefs, who, in their own country, had been familiarized with the woollens of Flanders, and with the silks of the Italian merchants. Accordingly, from the reign of Stephen, the emigration of Flemings had been encouraged. Weavers in linen and woollen were to be found in guilds, or privileged corporations, while the internal trade was conducted in fairs and markets. In the time of Henry the Second, among articles exported were leather, wool, clothes, and corn; and, in return, were received silks, wines, furs, spices, linens, &c. And again, in the preceding reign of John, the foreign trade had been placed by Magna Charta under the king's protection.

As commerce had created new social wants, they were still further excited by the still newer scenes of gorgeous splendour which had dazzled the eyes of Anglo-Norman warriors in the course of their croisades against the glittering paynims of the east. It was then found that the requisitions of a growing taste for splendour and pageants would be the best served by encouraging a number of free artisans to work for their own profit, and for the supply of public marts, rather than by obliging the villeins attached to an estate, with their limited stock of knowledge, to be the exclusive smiths, tailors, shoemakers, or clothiers of a circumscribed barony or manor, within the confines of which the rival goods offered by strangers were not allowed to meet with purchasers. Such, in fact, was the abject condition of Manchester during the early years of Robert Greslet, the baron,—a condition, to use the language of Guizot, in which industry had not escaped from domesticity.

At that time, fairs afforded the only medium through which an interchange of commodities, or merchandise, incidental to the new requisitions of society, could be carried on, as the laws by which they were regulated had openness, fairness, and publicity for their sole aim. Edward the Elder had provided, that no man could make his purchases without the town, and that he was to have "the port-reeve" as his witness for their regularity. This precaution was intended to obviate any pro-

miscuous sales made in privacy with the view of forestalling, as well as to throw an impediment in the way of thieves,—which precaution was still further promoted, by rendering it imperative that the bailiff should take a toll for entering, weighing, or measuring. Other edicts also occurred in later days, obligatory upon traders in fairs, not only that every man should buy and sell in the presence of a witness, but that two sworn men should confirm every sale. Hence the selection of the most public occasions for the holding of fairs, such, for example, as feasts of dedication, to which all the faithful belonging to a Christian community were, from religious motives, accustomed to assemble.

Upon these occasions the greatest encouragement was given to foreign merchants, who were to have free ingress and egress in England, as well as liberty to tarry there without being liable to “chimmage” [cheminage] or toll. According to ancient customs, while they were protected in buying and selling, they were compelled to give notice to the reeve of the retinue which they might have with them, for the forthcoming of whom, when required, they were obliged to provide a security;—this was agreeable to the Saxon law of manupast. They were also constrained, if they remained longer than forty days in the realm, to enter into a sort of pledge, like English subjects, and be sworn to the peace of the king.

In short, fairs were the only medium through which an interchange of commodities, or merchandise, incidental to the new requisitions of society, could be carried on, for which reason their importance was so correctly appreciated by the kings of England, that they were not allowed to be held without a royal privilege, for which some pecuniary compensation was demanded. Accordingly, during the minority of Henry the Third, in the sixth year of his reign (1222), Robert Greslet, baron of Manchester, obtained from the regent a charter of license for a fair to be held during two days, namely, on the vigil of Saint Matthew and on the following day of dedication, until the king should be of age, for which he agreed to give a palfrey. [Kuerden says four marks and a palfrey.] Of this charter the following is the only memorandum which I have been enabled to obtain:—

Anno Regni Regis Hen. Tertii 6to., M. 3. Lancastria: Robertus Greslei dat domino Regi unum palfredum pro habenda una feria usque ad ætatem Domini Regis singulis annis apud Manerium suum de Maincestre per duos dies duratura scilicet in vigilia Sancti Mathai et ipso die Sancti Mathai nisi feria illa &c. Et mandatum est vicecomiti Lancastriæ quod capiat &c. Teste Huberto &c. apud Leukenor xi die. Augusti.

In the 11th of Henry the Third (1227) the king came of age, when he ratified the grant which had been given during his minority of the fair of Manchester, and even extended the privilege from two days to three, whence, we may presume, that the experiment of a chartered fair in Manchester had succeeded beyond expectation.

Anno Regni Regis Hen. Tertii Undecimo M. 4.

PRO ROBERTO GRESLAY. } H. Rex &c. salutem Sciatis nos concessisse et hac presenti carta nostra confirmasse ROBERTO GRESLAY quod ipse et heredes sui habeant in perpetuum unam feriam apud manerium suum de Maincestria singulis annis per tres dies duraturam videlicet in vigilia et in die et in crastina Sancti Mathai Apostoli ita tamen quod prædicta feria non sit ad nocumentum vicinarum feriarum ut in aliis cartis de feriis Quare volumus et firmiter præcipimus quod predictus Robertus et heredes sui habeant in perpetuum predictam feriam bene et in pace libere quiete et honorifice cum omnibus libertatibus et liberis consuetudinibus ad hujus modi feriam pertinentibus. Hiis testibus H de Burgo Comite Kantii Justiciario nostro: R Comite Cornubiæ fratre nostro: Willielmo Comite Albermarliæ: Hugone de Mortuo Mari: Briano de Insula: Philippo de Albiniaco: Radulpho Gernon: Ricardo de Argentine et aliis. Datum per manum Venerabilis Patris Radulphi Ciestriæ Episcopi Cancellarii nostri apud Farendon nono decimo die Augusti anno Regni nostri xi.

Such was the confirmed grant of the fair of Saint Matthew in Manchester, by which a prolongation was conceded from two to three days, namely, on the vigil, festival, and morrow of the saint. It must be kept in view, that such a grant was not the essential characteristic of a borough, as Brady and other authors have supposed. The distinction of a borough has yet to be explained. The prefect of Manchester, who derived his office from the baron, was not styled a boroughreeve, but a portreeve, while a townsman was named “a portman.” We find the same in other towns. In Exeter, for instance, the ruler placed over it was named “a portreeve.” The mote, or law court at Manchester, by which subordinate disputes were settled, was known by the name of “the portman’s mote.”

§ 19. THE FAIR OF SAINT MATTHEW ACQUIRES THE NAME OF ACA’S FAIR.

The ancient fair of Saint Matthew is no longer recognised by that appellation. It has been perpetuated to us under no other name than that of Aca’s fair,—pronounced AKA’s fair, agreeably to the common adoption of K for the Saxon c. “In

words," says Dr. Bosworth, "immediately derived from Saxon, *k* is frequently substituted for the Saxon *c*, as *cyng*, a *king*; *cyn*, *kin*, or *KINDED*." —[Dict. of A. S. language under letter C.]

But the appellation "Aca's fair" has been transmuted, by Whittaker and others, into "Acre's fair." To the correctness, however, of the vulgar pronunciation, I can speak with the confidence of a sexagenarian, who has passed the whole of his boyhood on the site, now St. Ann's-square.

Aca was a clerk patronised by Robert Greslet. This name, however singular, was not unknown in another part of England. In the 1st of John there was an Aca of Keisho, in Bedfordshire, but there is no evidence that he was to be identified with the Manchester Aca.

Aca was also an early, if not the first incumbent of the church, or rather chapel, which was endowed by the Greslets,—naturally supposed to have been the same chapel which was dedicated to Saint Matthew.

§ 19^{bis}. THE LAND WITH WHICH ACA'S CHAPEL, SUBSEQUENTLY NAMED "GRELL'S CHAUNTRY," WAS ENDOWED.

In the Testa de Nevil, as well as by Keurden, it is recorded of Robert Greslet, that soon after he became possessed of the barony of Manchester, he granted land to Aca, a clerk: Robertus Gredle, qui nunc est, dedit Ace Clico unā t'ram de d'nio suo de Mamecestr' p iii sol. Idem Ace [Aca?], tenet terrā illam. That is, he gave to Aca, a clerk, a piece of land from his lordship of Manchester, in consideration of three shillings [annually?].

Hitherto we have had no proof where the land thus gifted to Aca, in consideration of a trifling quit claim, was situated. But, upon the assumption that the chapel of which Aca was an incumbent and Grell's Chauntry were identical, wherein there can exist no reasonable doubt, we arrive at the fact, that the land granted was that which was subsequently known under the name of "The Four Acres."

This knowledge is acquired from a very curious deed of the date of the 15th of Elizabeth (1572). Johanna Hope infeoffs certain persons with a croft of land containing three perches, which appears to have been a narrow longitudinal strip of ground corresponding with the restricted breadth of a burgage habitation lining a street, which strip must have extended from Withy-grove on the north, in a direction south through the present Cannon-street, to some narrow site on the north side of Market-stead-lane, a little to the east of the present Exchange. The same three perches are farther distinguished, as having the

lands of Robert Hulme on the east, and a parcel or enclosure of ground, called "The Chauntry," or "The Manchester Chauntry," on the west;—which chauntry and lands would be adjacent to the east of the present Old Millgate and Market-place, where, agreeably to certain records of the late Mr. Thomas Barrett, the remains of a chauntry were in the year 1777 to be actually detected.—[See vol. ii, p. 233 of the Manchester Foundations.] But it was the southerly boundary of the narrow piece of land thus demised, which now claims our chief regard,—which southerly boundary was described as an enclosure of land named "The Four Acres," being "parcell of the land late of the chauntry, named 'Grell's Chauntry.'"

An abstract of the deed I subjoin, from the communication of a very kind friend:—

By deed dated 22nd November, in the 15th of Elizabeth, Johanna Hope of Manchester, widow, daughter and co-heir of Richard Typpinge late of Manchester, infeoffs Ralph Slade of Clifton, Ellis Hope of Bradford, Roger Bexwicke of Manchester, yeoman, and others, of one croft of land containing three perches, lying—Between the lands of Robert Hulme on the east part;—And a parcell or enclosure of land, late called "The Chauntry," or "The Manchester Chauntry," now in the tenure of Nicholas Beck, on the Western side;—An enclosure of land named "The Four Acres," parcell of the land late of the chauntry, named "Grell's Chauntry," lately in the tenure of Thomas Trafford, on the South part;—And the Royal Road in the same place, called the Wything-greave, on the North part, and now in the tenure of myself, the aforesaid Joan Hope, &c. &c.

At length, then, we have arrived at the knowledge, that the land with which "Grell's Chauntry," of which Aca was an incumbent, became endowed, comprised an enclosure named in municipal records "The Four Acres." Another title of the site was "The Nether Acres," in contradistinction to "The Over Acres," more remotely situated. While a third appellation was "The Acres-field."

This land has been further described by Mr. Whittaker, who, however, has given to the site of Acre's-field the measurement of six statute acres and a half, which may nearly correspond with the old Lancashire measure of "The Four Acres." "There was," says the historian of Manchester, "a large close immediately adjoining to the town, so late as the beginning of the present century [the eighteenth], which was denominated Acre's-field. It spread, at the time, over the present Acre's-square [now St. Ann's-square]; its two streets at the sides, its four at the angles, and the enclosure of Saint Ann's Church. And it originally extended over the site of all the buildings that now intervene between the Exchange and the square; as the name of Acre-court given to the narrow passage about the centre testifies. This ground would be

about six statute acres and a half in compass, and was the original church yard of the town."

This description of the ancient boundaries of Acre's-field may not, perhaps, be wide from the truth. In speculating upon its limits in the middle of the nineteenth century, I should say that the site of Acres-field was bounded on the north by old St. Mary's Church, the Market-place, and the lower end of Market-street;—on the east by the meandering course of a rivulet, now obliterated, as it ran from Market-street to Pool-fold and Cross-street, and along the margin of this quondam pool and stream of the Tib, as far as Tib-lane;—on the south by an irregular line extending from Tib-lane, through some ancient courts and passages, to Ridgfield;—and, on the west, by an ancient thoroughfare extending direct from Ridgfield to Acres-court.

Mr. Whittaker pronounces the site, which he has described, to have been the original church yard of Saint Mary's, Manchester. Most assuredly it is of very ample dimensions for a cemetery, for which reason I shall not hesitate, though at a conjecture only, to place within or very near its limits the site of another edifice, namely, that of Saint Matthew, which gave its name to the vigil of Saint Matthew, as acknowledged in the charter of Henry the Third. Nor was it unusual (as may be confirmed by observation) for two churches to be built in one church yard. Possibly, at a guess, the locality assignable to the church of Saint Matthew was not far from the present Saint Ann's Church, on the site of which, while excavating for its foundations, numerous ancient graves were discovered, which have been usually attributed to the proximity of the old church of Saint Mary, in Saint Mary's-gate.—[See page 5.]

At length, then, we have found that the land with which Aca's Chapel, or Grell's Chantry, became endowed, was "The Four Acres," or "Acres-field;"—which Acres-field has from time immemorial been the recognised site of Saint Matthew's Fair, whence the natural inference that Aca's Chapel, Grell's Chantry, and the chapel dedicated to Saint Matthew, where the vigils of the saint were celebrated previous to the fair, indicate one and the same chapel, and are identical;—which view disposes at once of a theory noticed in page 37, with which many pages of Mr. Whittaker's history are encumbered.

But at this stage of our researches another question may be asked, explanatory of the reason why the fair of Saint Matthew was named Aca's, or ACCA'S FAIR, in preference to "Acre's Fair,"—which last term so nearly agrees with the former as to be easily mistaken in the sound.

Mr. Whittaker, however, has named the fair *Acre's Fair*, naturally supposing that it took its name from Acre's-field, the site of the fair. But upon the authority of a friend, who, like myself, has been familiar with the name of the fair from his juvenile days, it never was called "Acre's Fair," but "Acca's Fair;"—every inhabitant of the town making the distinction.

Upon the motive for naming Saint Matthew's Fair "Acca's Fair," history is silent. The custom, however, of providing for the support of religious foundations, or for priests, with the profits of mills, or fairs, was very common indeed, as, for example, in the instance of the grandfather of Robert Greslet, who confirmed the mill of Manchester to the monks of Swineshead, in Lincolnshire. It is highly probable, therefore, that the object of the baron's gift of land to Aca, the clerk, or priest, in consideration of three shillings [annually?], was to make over to him the profits of the fair, which, from this time, acquired the name, not of Saint Matthew's Fair, but of "Aca's Fair."

But the profits of the fair could not have been long alienated from the use of the lord. The fair of Saint Matthew is recorded in a writ taken the 15th of Edward the Second, as held from the vigil of Saint Matthew the Apostle until the morrow of the same feast, during three entire days, which was worth in toll, stallage, and the like, £6 13s. 4d.

§ 20. THE PRIVILEGES AND CUSTOMS OF SAINT MATTHEW'S, OR ACCA'S, FAIR.

The land thus gifted for the purpose of a fair, shows that it far exceeded what was required for a church yard only, as Whittaker, in his spirit of theorizing, has vaguely supposed. It rather included the space which was demanded for an incipient commercial fair, intended to call forth all the industrial resources of Manchester and its vicinity.

In reference to this object a cross was erected, for the purpose of solemnizing the commercial engagements of the fair, which gave its name to the street, now named Cross-street.

The tollage of the fair was collected in a narrow passage formerly leading to "the Denesgate," which is now lost in the widening out of Saint Ann's-street, at its westerly extremity. Without a special grant, however, such as that of Henry the Third, the stallage, picage, &c., paid at fairs and markets on the sale of things tollable, might have been legally refused.

At these fairs, by a later statute of Edward the Fourth, persons were privileged from being molested or arrested for any debt, except what was

contracted at the same, or, at least, was promised to be there paid.

Whittaker supposes that the fair was opened by the baron in person, accompanied by his seneschal, by the clergy, and by the gentry. But we are better informed regarding the proclamation which was made, its object having been threefold:—First, to preserve the public grid, or peace, the care of which, in Manchester, was assigned to a “grith-sergeant;”—secondly, to prevent the interference of the fair with any others in the neighbourhood which might be held about the same time;—and, thirdly, to give warning that no merchant should sell goods, or merchandise, after the time when the fair was ended, under the penalty of forfeiting double the value of the goods sold, one-fourth whereof was to accrue to the prosecutor, and the rest to the king. At the present day, however, it has been merely deemed necessary to proclaim the public “grid,” which is accomplished by the present “grith-sergeant,” who holds office under the mayor and corporation, after the following manner:—“Oyez, Oyez, Oyez! The mayor, on behalf of the corporation of Manchester, in her majesty’s name, strictly charges and commands all manner of persons not to wear any swords, staves, falchions, or any other weapons, during the time in which this fair hath its continuance; but that they and every of them be aiding and assisting the mayor, the boroughreeve and constables, and all other officers, in suppressing all riots, routs, and other unlawful assemblies during the continuance of this fair, on pain of the penalty set down by the statute in such case made and provided. God save the queen, the mayor of Manchester, the boroughreeve and constables, and all other officers of this ancient town and borough of Manchester.”—[From an account of the fair, as held in 1846, since the manor was purchased by the corporation.]

For some reason or other, regarding which history is silent, the institution of Saint Matthew’s Fair appears to have excited the opposition of the town, as is shewn by a custom of very ancient date:—Upon the first day of the fair, long before daybreak, the inhabitants of the town were accustomed to assemble, severally armed with whips and a great store of the autumnal fruit of the oak unmercifully robbed from neighbouring woods, to enter their protest against the intrusion of the lord of the manor, by pelting with ACORNS the first cow, the first sheep, the first pig, or the first horse which entered the arena of the fair;—the deafening war-cry of “first cow!”—“first sheep!”—“first pig!”—or “first horse!” being accompanied by loud shouts and the crack of whips. Eventually, however, this protest subsided in a mere holiday

sport, got up by the juveniles of the town, who, half a century ago, or more [me ipso teste], never failed to assemble before daybreak in Saint Ann’s-square, armed with whips, and, among other missiles, acorns.

The custom of using ACORNS for the purpose of ejection is curious. Has it a figurative allusion to the name of ACA, which would appear to be derived from the Anglo-Saxon a’c, or aac, the oak? Upon this supposition there would be a propriety in pelting the intruders into Aca’s Fair with acorns. But this momentous question may be left for the solution of the Dryasdusts of Lancashire.

[Owing to the populous state of the town, and other causes, Aca’s Fair has of late years travelled to Shudehill, and thence to the Camp-field, where it is at present kept. An interesting narrative of the mode in which the fair is at present held has been recently published by Mr. Harland, in the *Manchester Guardian*. As the custom of assembling with whips and acorns is not mentioned in this description, I may conclude that it has fallen into disuetude.]

§ 20^{bis}. THE INFEUDATION OF ASHTON-UNDER-LINE.

With an account of the feast of Saint Matthew and the chartered fair to which it gave rise, I was proceeding to describe still more important local events, confined, however, to the sister town of Salford. But, previously, some little notice may be taken of the state of Assheton-under-Line, the manor of which was for centuries an infeudation of the barony of Manchester, the Greslets retaining in their power the advowson of the church of that town, which was dedicated to Saint Michael.

Assheton, or Ashton, anciently named Eston, one of the berewicks of the manor of Manchester in the Domesday survey, has been hitherto supposed to have been gifted by Albert Greslet [Senex] to Orme Fitz-Ailward;—but Dr. Ormerod was the first to satisfactorily shew, that by this Ashton, or Eston, another manor, namely, Orm-Eston, now Urmstone, was meant.—[See page 20.] With this correction of a mistake, for a long period disreputable to Lancashire genealogists, antiquarian curiosity seems to have been satisfied. Still, however, there are many questions connected with the successive proprietorships of this important manor, which, up to the present moment, remain undecided.

Some portion of this obscurity may be, perhaps, due to there having been at least three Ashtons, or Estons, in the neighbourhood of Manchester:—1st, Orm-Eston, already explained; 2nd, Ashton-on-the-Mersey, within the palatinate of Chester; and, 3rd, Ashton-subtus-limam [or, perhaps, lineam], translated Ashton-under-Line.

In Mr. Gregson's collection of ancient feudal entries there is a "Robertus de Gredle" mentioned, who, I suspect, ought to have been named Robertus de Eston. He is the same individual, probably, who appears as witness in a deed of Albert de Neville, rector of Manchester, under the name of Robert de Astuton.—[See page 27.] It is added of this Robert de Gredle [perchance de Eston], "tenet ij caruc' in Eston de eadem baronia [de Mancestria] et debuit reddere inde annuatim unū austurcum, vel xxs, si non redditum."

§ 21. THE ACTIVITY OF ROBERT GRESLET IN SERVICE OF THE KING.

In the year 1221 we find that the king, in the orders which he gave to the barons of the treasury, excused Robert Greslet the payment of six pounds, for one year's ward which he owed to the Honour of Lancaster, as due for twelve knights' fees which he held, inasmuch as he had served with the king in the army of Newark. In the same year we find that Robert Greslet was ordered to go with the Earl of Essex and H*** de Nevill to the forest of Clyve, with the view of spying out the movements of Richard Surward and certain malefactors.

§ 22. THE PAPAL POWER IN THE PLENITUDE OF ITS SUPREMACY, IS RESISTED BY RANULPH DE BLUNDEVILLE, THE SIXTH EARL OF CHESTER.

Ranulph de Blundeville, the sixth Earl of Chester, is the most important personage at this period of time in our local history.

Hugh Cyvelioek, the fifth Earl of Chester, died on the 27th of Henry the Second (1181), et portoit d' azur à six garbes d'or. His son and heir, Ranulph, or Ranulf, surnamed Blundeville [Blanc de ville], was born at the album monasterium of Powis, and was knighted in the 33rd of Henry the Second (1188.)

With Richard the First, Ranulph had been in great favour and had borne one of the three swords at the monarch's coronation, serving also, with valour, in the army at Normandy. He fearlessly rebuked John for his dissolute conduct towards the daughters of his nobles; and he aided in procuring a relaxation of the interdiction under which the kingdom was struggling. During a succeeding reign, he was very instrumental in advancing the pretensions of Henry the Third to the throne, who, in 1219, confirmed him in the earldom of Lincoln.

Ranulph possessed much land in Lancashire, which the family is supposed to have derived from Ranulph Gernons, in whose favour the Peverels,

during the distracted reign of Stephen, were dispossessed. Among these acquisitions, as I have shewn, were the town and wapentake of West Derby, the borough of Liverpool, the town and wapentake of Salford, and also the wapentake of Leyland.

Ranulph de Blundeville seems also to have added greatly to his acquisitions by purchase. There was a Roger de Maresay, then holding much land in Lancashire, regarding whose family there exists much obscurity. He is referred by Gregson, to the lineage of Godefridus, of the time of De Poictu, who was "vicecomes ejus de Derby." Hamo, the first baron of Dunham Massey, was said to have been of this family, to whom Ranulph Gernons granted Stretford in fee. A descendant, as it is supposed, of Roger de Meresheya, sold to Ranulph de Blundeville certain lands, which have been enumerated as follows:—"the manor of Bolton-in-the-Moors, with other lands in Little Bolton, Tong, Halghe, Brightmete, Radcliffe, Urmeston-in-Wesseley, Sharples, Haghe, Tanedish, Longerre-in-Sevington, Charnock, Head Charnock, Duxbury-in-Adelinton, Whittle, Huelton, Scaresbrick, Heaton, juxta Lancaster-in-Milner, in Derwent, and Eccleshall."—[Gregson's Lancashire, App., p. 264.]

During various successive reigns, Ranulph de Blundeville had been a distinguished political character; but the last, and, perhaps, the most important event of his life, was his resistance of the supremacy of the pope, while he was in the plenitude of his power;—in which resistance he was supported by the portion of the kingdom under his immediate influence, said to be Cheshire, but which rather comprised both Cheshire and Lancashire.

As Henry the Third had been a minor when he succeeded to the throne, he was the more easily induced, from his tender years, to pay homage to the pope for the kingdoms of England and Ireland, with the promise of one thousand marks, as usual, by way of acknowledgment.

At this period the papal domination had attained its height, as is shewn in the general jurisdiction of the church. In ascending from the lowest court of spiritual judication to the highest, we begin to have in parishes the rural chapters of the dean,—superior to which were diocesan synods;—while, above these, were provincial and national councils, over which the pontiff had a control through the legates whom he sent over to hear and determine the more weighty ecclesiastical causes. Appeals might also be made to the Roman see, which were responded to by bulls of confirmation, or dispensation.

The papal supremacy, which had its origin in the very ancient appeal made to the bishops of Rome, on questions of faith, had for its professed object

an universal inspection over the secular and religious orders of the church, over clerks, and over the faithful in general; which was acknowledged by the king's oath to maintain the independence of the church, by the acceptance of the pallium conferred upon archbishops as a mark and distinction of the plenitude of the apostolic power, and by the bishop's oath of canonical obedience to the holy see.

As an admission likewise of the superiority of spiritual over temporal interests, or, as a French writer expresses it, of the greater importance which was attached to the destiny of the believer than to that of the citizen, civil privileges of the most unbounded kind were conceded to the ecclesiastical power. In the year 1216, an edict had appeared, threatening with excommunication all who, in prejudice of ecclesiastical liberty, had burdened religious men, clerks, beneficed clergy, or their men living on ecclesiastical ground, with talliages, taxes, murage, tributes, expenses of fortification or of carriages, or other civil exactions. But, besides this immunity from taxes, the clergy were exempted from prosecutions in the civil courts,—which concessions led to still further encroachments. Cases of a civil nature became amenable to ecclesiastical judgments, in which parties were visited with censures of excommunication, while sentences awarded against delinquents in secular courts were, to the encouragement of open vice, averted by the privileges of sanctuary. The parliament in its attempts to secure to the nation constitutional advantages was confronted, as in the instance of Magna Charta, by papal inhibitions:—while the sovereign himself was rendered a mere dependant of the pope by the act of investiture and oath of fealty for his lands, whence he became a vassal of the Roman see.

The pope required temporal support on three general pretences; first, to defray the great charge of an universal inspection, wherein many agents were to be employed; secondly, to support the dignity and splendour of the Roman see; and, thirdly, to furnish the means of croisades against the infidels, for the purpose of subduing and reclaiming them.

In the last place, the fees demanded for the support of the papal power variously arose from the old tribute of Peter pence; from annates, or first fruits; from the tenths of all ecclesiastical livings; from pensions exacted from religious houses; from taxes for the pall; or from the sale of indulgences. But this was not all:—a far more serious means of supporting the papal influence was derived from the dispensation of mitres, or from the presentation of benefices to favourites,

or foreigners, whereby the rights of patrons were arbitrarily suspended.

While the papal see was in the plenitude of power in England, the Earl of Chester was one of the principal nobles who, in the reign of Henry the Third, took the lead in defending the free institutions of his country from the attacks alike of the monarch and the pontiff. He joined the party of the insulted Prince Richard [or Earl of Cornwall] against the unconstitutional efforts of the regent, Hubert de Burgh, who sought to persuade the king that he was not legally bound to the great charter, and to the charter of forests.

The Earl of Chester likewise headed the party which protested against the king combining with the pope in the attempts to still farther rivet the fetters of the nation, in their subjection and dependance upon the see of Rome. He sided with those bishops who complained of the legates whom the pontiff was in the habit of sending over upon the most frivolous pleas, with the secret charge to nominate to the best benefices, to extort exorbitant fees, and, by rendering the episcopal power insignificant, to cause the church of England to languish under a foreign and most galling slavery.

One of the last great political efforts of the earl was, to resist the demand of Pope Gregory for the tenth of the revenues of the clergy throughout Europe, including a tenth part of the moveables of England, with the view of carrying on a war against the Emperor Frederic, who had been excommunicated for not performing his vow of serving in the holy wars. Upon this memorable occasion, so formidable was the resistance of Ranulph de Blundeville regarded, that the county palatine of Chester was said to have been the only part of England which escaped the galling impost;—to which province we may add, no doubt, all such localities in the adjacent county of Lancaster as were subjected to the influence of the earl. Consequently, among the Lancashire districts impatient of the yoke of Rome, may be enumerated the town and wapentake of Salford.

§ 23. RANULPH DE BLUNDEVILLE GRANTS A CHARTER TO THE TOWN OF SALFORD, MAKING IT A FREE BOROUGH.

As there is no date affixed to the charter which Ranulph de Blundeville granted to the town of Salford, conjecture alone must supply the deficiency. On the 13th of Henry the Third (1228-9), the earl was confirmed by the king in his possessions between the Ribble and the Mersey, and, immediately afterwards, he conferred upon William Ferrars, Earl of Derby, who had married his sister, the town and wapentake of Salford. There is little

doubt, therefore, that it was before making this grant that he gave to the town its boasted charter.

At this particular period of our history, Salford was not only the principal place of jurisdiction contained within the hundred of that name, but it was also regarded as the chief market town of several manors situated in the peninsula of the Irwell, and extending from Trafford and the vicinity of Eccles to Clifton and Pendlebury.

Among the names recorded of landed proprietors who flourished in, or about this period, may be mentioned Gilbert and Edith de Barton;—Richard Workedly, son and heir of Elias Gigas, and Geoffrey de Workedsley;—Elias and Adam de Pennelbury, or Penultsbury, to whom Richard de Workedsley gave lands;—Robert de Clifton, a progenitor of the Amounderness family, who held four bovates of land from the king;—Robert Gerneth, who held from the same Robert by dren-gage tenure;—Marferth de Hulton, who, in the time of John, held in chief of the king four bovates of land in Pennelton, by service of a sixth part of a knight's fee. Again,—near the church of Eccles, hard by a ford of the Irwell, dwelt the Trafford family, of Saxon origin, who had greatly swelled the extent of their possessions by lands derived from divers sources, as in Guildested, from Helias de Pendlebury,—in Chorlton, from Gospatricke de Chorlton,—in Stretford and the lordship of Assheton, from Hamo, Baron of Dunham Massie, with whose family an alliance by marriage had taken place.

The names thus recited may be considered as forming the higher class of society, dwelling at a moderate distance from the town of Salford. Interspersed were numerous descendants of Saxon thanes or dren-ges, some of whom inherited lands more approaching to the character of allodial than feudal possessions, in which the claims of primogeniture were not rigidly enforced. Consequently, owing to the divisions and subdivisions of property which had been going on in the lapse of generations, the means of subsistence with comfort were proportionally straitened. Another class of needy individuals, yet of gentle lineage, found themselves displaced, as younger sons, by the law of primogeniture, many of whom would have difficult means of subsistence. While a third class was that of ceorles, who, in possessing real or allodial land to a trifling extent, over which they had the power of disposal by sale, gift, or will, not unfrequently converted their little patrimony into the form of infestments, for the sake of being enrolled in the view of frank pledge attached to the jurisdiction of some powerful lord or baron, which ensured to them, as free tenants, a greater degree of civil

protection and security than they could have enjoyed in their previous state of allodial independence.

Such were the classes to whom the charter, which Ranulf de Blundeville proffered to the town of Salford, must have been particularly acceptable, as affording the means by which they might resort to such industrial arts as were promoted within the numerous free boroughs of the kingdom, which were then springing up.

By the name BOROUGH, proposed to be given to the town of Salford, nothing more was implied than what the Saxon term BORH, "a pledge," indicated;—that is, Salford was to become a mutually PLEDGED town, in which every inhabitant was to be sworn and enrolled as in pledge, or bail, for his neighbour.

The origin of the term borough has been successfully commented upon in the municipal collections of Merewether and Stephens. They conceive the term to have been suggested by the more complete and localized system of frank pledge, which began to prevail, and not from the Greek *πυργος* [A. S. burhg or burh], which gave its name to some of the old Roman towns, as Overburgh, Gainsborough, &c. The Saxon word borh, from the same root probably as beorh, a city or defence, meant a pledge as well as a person, who, by giving a security, thus became a surety or bail for his neighbour, in which sense it was used in the laws of King Ina,—the "borh-bryce," meaning a breach of the pledge. It is stated that, so late as the year 1512, the sureties of an apprentice, who were required to be entered and enrolled in the municipal books of Newcastle, were named his "borowes." To this last cited evidence, I can add that of an ancient manor roll of Assheton-under-Line, of the date of 1442, in which it is said, that "Jenkin of the Winterbotham had taken the marled earth in the Rhodes-field ten years term, and that John of Aynsworth, and Thomlyn of the Leghes of Halesworth, were his BOROWES [that is, pledges], that he should well and truly pay his farm during the said term."

In the next place, the town of Salford was destined to be not a borough only, but "a free borough."

The term "free," prefixed to that of borough, indicated the important privileges proposed to be conferred, the chief of which bore reference to the new state of municipal government created, but more particularly to the new court conceded to the "portmen," or townsmen of Salford, named "the portmanmote," by which they would escape from the jurisdiction of the sheriff's tourn, which a long series of abuses had rendered unpopular and odious.

The sheriff, as the representative of the king, had been arrayed with excessive and even dangerous powers. While he was authorized, in every case where the lord of an inferior court neglected taking cognizance of criminal pleas, to claim the jurisdiction as belonging to the crown, it was even competent upon him to require that the lord himself have his pledge, by whom, if he was not purged from all offence, he might be produced to do right in the hundred. And hence, lords were not exempt from the penalties which the sheriff had the authority to enforce. For it was added, that if a lord, in the course of exercising his own separate jurisdiction, did not produce a criminal when required, but allowed him to escape, he was to compensate for his delinquency to the king, and be outlawed.

Nevertheless, this interference of the sovereign, as Guizot has well remarked, was an abandonment of the principles essential to the pure and primitive state of feudalism, however favourable it might have been to the condition and progress of society.—As the feudatories of Lancashire, even though they held their lands by thanage, or by drengage, were too dependent on the will of a superior, there was a necessity for repressing the intolerable tyranny of the possessor of a larger fief. And hence it was provided in the case before us, as in every other barony, that the lord should keep his court every month, the suitors of which, in default of redress, might appeal to the shire court, or sheriff's tourn, held twice a year, at Easter and at Michaelmas, over which the sheriff, as the representative of the sovereign, presided. But, according to the laws of Edgar, no one might appeal to the king unless he was denied law and right at his own home. And when this appeal was actually made, the king, by the constitutions of Clarendon, would provide for the trial of pleas by the crown, through the means of twelve free and lawful men.

But no institution, however wise and virtuous in its design, is exempt from abuse, so long as the social mass does not participate in the moral feelings of their conscientious legislators. During the dark and superstitious reign of Henry the Second, great extortions had been committed by the sheriffs themselves, the majority of whom were displaced and obliged to pay forfeitures for their misconduct. Subsequently there arose, in this and succeeding reigns, numerous charters of exemption from the jurisdiction and interference of sheriffs. Thus, for instance, in the time of Henry the Second, Reginald de Fitzroy granted to the free burgesses of Truro *sac, soc, toll, them, and infangtheof*, that they should not be pleaded nor be prosecuted in hundred or county courts. And hence arose,

according to the technical views of legists, the essential character of all boroughs, namely, their exemptions from suits of shires and hundreds, by which they would become separate jurisdictions.

In the case of the town of Salford, it must be kept in view, that Ranulf de Blundeville had for many years himself acted as sheriff of the Honour of Lancaster, and that in this office he was occasionally aided by his brother-in-law, William de Ferrars. But in the year 1229, Ranulf was growing old, and we must suppose that some strong attachment which he had formed for the town of Salford, rendered him anxious to bestow upon it the efficient civil and criminal jurisdiction of a free borough, where a reeve chosen by the burgesses themselves should exist, as a substitute for the sheriff, or, in other words, where the sheriff should be altogether excluded.

After this separate and independent jurisdiction had been confirmed to the burgesses of Salford, their condition would be as follows:—They would have the power of choosing their own reeve, or magistrate;—they would have courts of their own, the laghemote and the newer portemanmote, for the administration of justice, which would be regulated by salutary laws tending to preserve the peace of the borough;—they would possess burgages, the tenure of which would include the free allodial laws of hereditary succession, as well as the power of sale or gift, yet subject at the same time to some small rent and services, as well as to a relief of arms upon the death of a possessor.—It was forbidden, however, that the burgages should be alienated from the superior either by civil debts, or “in religion.”

The last mentioned stipulation, which would prevent the burgages of Salford from being gifted away to the Cluniac monks of Kersall, or to any other holy community, related to the act of mortmain, then recently passed. Its insertion in the earl's charter had arisen from the national jealousy, created by the immense possessions with which pious founders, or donors, had enriched the religious houses of England. The inconveniences of such gifts have been expressed by lawyers after the following manner:—Alienations to ecclesiastical bodies, which take by succession and are consequently held in perpetuity, prevent all future profits to the lord, and are hence named “the dead, or unprofitable hand,” and the grants “alienations in mortmain.” Or, in other words, “mortmain seems to be a correlative of perpetual succession, because it has its very essence in the grant of lands to perpetual bodies, whereby, as there can be no escheat, the land is said to be in the dead or unproductive hand,—in *mortua manu*.”

An example of such an alienation is exhibited in the following entry, relative to the baron of Manchester. "Et est in custodia Archidi' de Stafford et W. de Harewett per dñm Robertum Gredle tenementum iij caruc' terre in Burnul et in Anderton de eadem Baronia, et nullum facit servitium."

This injury to feudal proprietors was first corrected by a statute of the 9th of Henry the Third (1225), which enacted, that for the future no lands should be settled upon any religious community without the express license of the chief lord of the see. "It shall not be lawful from henceforth to any to give his lands to any religious house, and to take the same land again to hold of the same house. Nor shall it be lawful to any house of religion to take the lands of any, and to lease the same to him of whom he received it. If any person henceforth give his lands to any religious house and thereupon be convict, the gift shall be utterly void, and the land shall accrue to the lord of the fee."

That this law of mortmain accorded with the views of the Earl of Chester little doubt can be entertained, from his popular opposition to the inordinate riches and power of the church while in the zenith of its influence. We accordingly find that Ranulf, in his charter, absolutely prohibited the burgages of Salford from being alienated in religion. This is evident from a clause relative to the heritable rights attached to the possession of burgage property;—in allowing a burgess, if he have no heir, to bequeath his burgage and chattels by will to whom he chose, it is added, "so that the burgage be not alienated in religion." And, again, in the permission given to a burgess to sell his burgage, it is added, "religione excepta."

Lastly, the charter was granted with the view of better enabling the borough of Salford to supply, for the exigencies of the state, its proper quota of money and men.

Ranulph de Blundeville had frequently served in the armies of France and the low countries, where he had witnessed the state of those cities which had not perished with the Roman abdication, but which still could boast of a survival within their walls of many of their free institutes. But his observations were more satisfactorily drawn from such communes, or burghs, as with well-armed bands had snatched from their tyrant lords a portion of domination, and had formed themselves into petty republics, where, as a consequence, these cities or towns had begun to be developed, and to grow in population and in riches. From communes such as these, Ranulf and other English

barons had learned the policy, not of forced but of voluntary concessions to the municipal wants of borough towns. In the instance of Orleans, during the wars with the English, they had witnessed a grateful city fighting fearlessly and successfully in the support of royalty, whence it had derived all its invaluable chartered liberties.

Ranulf, who then took an active part in the affairs of church and state, was pressed both for money and men. Being aware, therefore, that a borough town, resembling in its free institutions those of the communes of France, afforded the best means of commanding the sinews of war, he applied this principle to the hitherto insignificant town of Salford. He gave and confirmed, in the name of himself and heirs, all the invaluable liberties and customs offered to the burgesses and their heirs against all people for ever, saving a reasonable talliage, to be levied when the lord king should tax his boroughs throughout England. Of such talliaiges, in fact, numerous instances are recorded. For example, in 1223 there was raised, upon Newcastle-on-Tyne, a talliage of one hundred and twenty marks.

The earl was also aware of further effects, besides those specified in his charter, to be derived from a free borough. The burgesses would become amenable to a law of Henry the Second, and be obliged to provide for themselves armour. "All burgesses," says the act, "and the whole community of freemen shall wear a wambois [that is, a coat quilted with wool, tow, or such materials], a cap of iron, and a lance." This act was adopted from the customs of the French burghs, the inhabitants of which were held infest by a sort of military service, and in marching to battle were, in general, grouped around their priests. That the burgesses of Salford were in like manner required to be armed, is to be inferred from the relief which they paid upon the death of any one of their community, which was a sword, or a bow, or a lance.

Numerous regulations on the armed discipline required from freemen and burgesses appear in the acts of this period. All persons residing or commorant within any place beyond forty days, were bound to be there sworn to their allegiance, to pay scot and bear lot, and, if they failed therein, to be amerced.

Taking in view, then, the dependance which was placed upon free boroughs for aids of money and men during the exigencies of war, there can be no doubt that this object formed one of the leading motives for granting the immunities and privileges which appear in the Salford charter. The Earl of Chester was desirous to attract new inhabitants to the free borough which he was creating, by the

temptation which it held out of a very great improvement in their social condition, whereby they would be assimilated to the burghers of the free communes of France, or other parts of the continent, and would thereby contribute by the means of talliage, or by scot and lot, to the armed resources of the country.

But the class of society most likely to profit by the municipal advantages which Salford promised, remains yet to be described. This was the degraded caste of villeins.

The true servus, or serf, of the Saxon period no longer existed, whose person was removable at the pleasure of the owner from the estate wherein he lived and served, and who could be bought and sold in the public markets. On the contrary, the villein of Norman times could not be detached, at the mere will of his owner, from the domain to which he belonged; nor could he be bought or sold separate from the land. But although the true servus, serf, or bondsman of Saxon times had disappeared, yet the original principle of servitude was still retained, inasmuch as it was not upon the circumstance of tenure, but of birth along with vicinage, named "condition," that the obligation of servitude depended, whence the origin of the writ of "neifty" [nativa], directed to the sheriff when a person claimed any one as his villein. But, in determining whether a claim of neifty was valid or not, the more tender laws of the Anglo-Norman period gave the greatest relaxation to the circumstance of birth, stock, or condition, which might be laid aside, for instance, if the mother of the villein were free, in which case emancipation, or freedom, followed.

But the claims of humanity were most aided by political considerations. The villeins upon an estate often increased to an amount far greater than the means of subsistence, whence it was not uncommon for some lords to force their villeins to find subsistence elsewhere, and to starve in other localities. This practice had, in fact, so much increased, that it became a law, that the lord could not molest or remove from the soil his cultivators, so long as they did his proper service; and that, for the subsistence of villeinage, it was necessary that there should be a mutuality of conditions, comprising personal service on the one hand, and protection on the other.

In most cases, however, a lord sought to retain his villeins upon his estate, where, in despite of impoverished means of subsistence, they continued to be the object of feudal caprice and tyranny, whence the origin of another stringent law, that if the lord withheld the legal protection which was due to his villein, the mutuality of conditions, in-

volving personal service on the one hand and protection on the other, became destroyed.

During this difficult state of society, the most natural and simple remedy left to the villein, in which he was not discouraged by the executive government, was to clandestinely quit the domain to which he was attached, and, in mingling with the population of crowded or commercial free boroughs, to seek in honest industry a means of subsistence. Accordingly, the laws humanely provided that free boroughs should be considered as places of refuge for the persecuted villein; but in order that no injustice might be done, if by a writ of neifty the fugitive was intended to be regained, the law allowed a reasonable time for the claim of the lord to be legally enforced. Thus it was enacted, that if any native bondsman dwelt without claim for a year and a day in any privileged town or borough, so as to be in the community of a free guild, he should by that act be emancipated from villeinage.

If such, then, was the ancient social system of England, as revealed to us by successive laws framed for no other purpose than the suppression of villeinage, we must regard the newly-created free borough of Salford as promising a peaceful home to the hapless bondsman, whereby he would be enabled, as a free burgess, to enjoy undisturbed the rights to which his honest industry was entitled. Everywhere, in fact, do we detect, in the privileged charters thus granted, the antidotes to feudal abuses and oppression, whereby a galling slavery, the disgrace of Christian believers, became eventually extinguished.

Soon after signing this charter, the Earl of Chester was called away to join the standard of his sovereign in the wars with France.

In 1230, after Henry the Third had exposed his utter incompetency to the command of the English troops, who had sought to recover from the French the ancient fiefs belonging to the crown, the earl was one of the commanders, who, in the absence of the king, having been left with the care of the royal army, made a successful irruption into Anjou, and recovered the honours which the English monarch had sacrificed to hours of frivolity and debauchery.

Such was the noble earl to whom the free borough of Salford owes a debt of gratitude, which ought never to be effaced.

§ 24. DEMISE OF ROBERT GRESLET.

Robert Greslet, the fifth lord of Manchester, is reported to have died in the fifteenth year of Henry the Third [1230-1].

By his marriage with a daughter of Henry, brother of William Longchamp, chancellor of Richard the First, he left issue Thomas Greslet, his son and heir.

It has been remarked, that this baron was the first of the Greslets who formed a personal settlement in the town; and that, before his time, Manchester possessed little or no history. By the fair, for which he obtained the royal assent, he may be regarded as the baron who first gave a stimulus to the industrial activity and consequence of the town, paving the way for a still greater boon to municipal privileges, in the noble charter which Ranulf de Blundeville conferred upon the inhabitants of the sister town of Salford.

APPENDIX TO CHAPTER V.

In order that the ecclesiastical history of Manchester may be interrupted as little as possible with the civil concerns which are mixed up with its annals, I have thrown into the form of notes the details connected with the important charter which Ranulph de Blundeville conferred upon Salford;—an event no less important in its ultimate consequences to the sister town of Manchester.

A translation of this charter was, as I understand, published a few years ago. A copy, certainly an incorrect one, of the deed, which is preserved among the records in the office of the duchy of Lancaster, has been given in vol. ii, p. 170, of Mr. Baines's *Lancashire*. Lastly, in the *Manchester Guardian* of December 24th, 1844, another translation appeared, in which some important corrections were made. This was accomplished by Mr. J. Harland, of the *Guardian* office.

In the absence of the original deed, which I have not been able to consult, I drew up from the two last mentioned sources of information a sort of commentary on the Salford charter, which very recently I have been enabled to correct by the aid of one of the most learned and satisfactory works on the origin of the municipal customs of England which has ever yet been published. I allude to the "History of Boroughs and Municipal Corporations of the United Kingdom, &c., by Henry Alworth Merewether, Sergeant-at-Law, and Archibald John Stephens, M.A., F.R.S., Barrister-at-Law, in 3 vols., 8vo., 1835."

I would also add, that in no treatise have I seen the principle of mutual pledge and residence, distinctive of the social constitution of the Saxons, so well elucidated as in the volumes published by these most industrious and persevering authors. In the account which I drew up of the baronial jurisdiction of Robert Greslet, their views have rendered me important aid.

It is to be lamented that these authors were not aware of the existence of the Earl of Chester's charter to Salford, but they have done ample justice to the importance of the later one of Thomas Greslet, baron of Manchester, of which some notice will be taken in the succeeding pages of this work.

With this explanation, I shall now proceed to describe the Salford charter.

THE SALFORD CHARTER EXPLAINED.

Ranulph de Blundeville called around him his friends and others, and in the presence of William de Vernon, jus-

ticiarius Cestriensis, Simon de Montfort, Paganus de Chaworth (?), Foulk Fitz-Warren [lord of Metingham?], Gilbert de Segrave, Walter de Arden, Richard de Biron, Roger Bernet [is not the name Gernet or Gerneth?], Roger de Derby, Galfrid de Biry, Hugo de Biry, Simon and John, clerks, and many others,—gave, conceded, and, by a charter, confirmed, that the town of Salford should be a free borough, and that the burgesses in it should have and should hold certain liberties.

The charter explained, in the first place, the terms upon which a settlement was to be procured in Salford by the acquisition of burgrave tenures;—

In the second place, it promised commercial advantages to the free burgesses;—

Thirdly, the charter recounted the laws by which the free borough of Salford was to be governed;—

And, fourthly, it enabled the borough to afford its quota of support, by means of talliages, to the exigencies of the state.

These varied objects of the Salford charter will now be explained in their due order.

First, the charter explained the terms upon which a settlement in the town might be procured by the acquisition of burgrave tenures.

Each person wishing to be enrolled as a burgess of Salford was to have one acre of land as his burgrave [or borough possession], for which he was to pay by the year twelve pence for all service which to that burgrave belonged, namely, at the nativity of our Lord, three pence; at the middle of the forty days [of Lent], three pence; at the feast of the blessed John the Baptist, three pence; and at the feast of the blessed Michael, three pence.

In order, also, that an allodial character might be imparted to the burgrave property thus offered, Ranulf declared in his charter, that if a burgess had not a heir, he might leave his burgrave to whom he listed; but if he had a heir, he could not give, or pledge, or sell his burgrave to whom he chose without an option being left to the next heir to buy the same. It is to be remarked, that this law of inheritance is to be found in the code of the northern nations, as, for instance, in the *jus commune Norvegicum*, which (as I have elsewhere described) was perpetuated in the udal, or allodial edicts of Orkney and Shetland. The last law of inheritance recited in the Salford charter relates to the widow of a burgess, who was allowed to remain in the house with the heir, and have necessities so long as she chose to remain without a husband; but if she married again, she might depart freely without dower, and the heir, as the lord, remain in the house.

Burgrave tenures were, however, subject to the following conditions:—

The first related to the buying, selling, and willing of the same. For instance, the tenements of the borough could not be included in any acknowledged debts of burgesses liable to be distrained;—secondly, as great importance was attached in the Anglo-Saxon laws to a fixed residence, and as a capricious removal, supposed to lead to vagrancy, was punished with a fine, Earl Ranulf relaxed the law by declaring that whoever would sell his burgrave and depart out of the town should pay him four pence, and go freely whither his inclination might lead him with all his chattels;—the third condition imposed upon the possessor of a Salford burgrave, related to the law of mortmain,—being exemplified in the permission given to a burgess who might have no heir, to bequeath his burgrave and chattels to whom he would,—subject, however, to this restriction, "that his burgrave be not alienated in religion."

And, again, in the permission granted to a burgess to sell his burgage, it is added, "religione excepta."

The acquisition of a burgage did not debar the possessor from the benefits which he might have previously derived from the lord's demesnes. Thus, the burgesses were to have free pasture in the wood, in the plain, and in all the pastures belonging to the town of Salford. They were also to be free from pannage (the toll for pasturing hogs) in the wood itself of Salford, and they were allowed to take from it "in reason" whatever was necessary to build and to burn.

In connexion with these manorial advantages, there existed, no doubt, certain customs required from tenants, such as labouring a certain number of days in getting in the lord's fuel, or assisting in harvest time;—which last service, in Lancashire, was called "boon shearing," or "boon work." Earl Ranulph's charter, therefore, provided, that whenever a burgage was sold, pledged, or willed, a reservation should be made not only of the service belonging to the burgage, but of the lord's right of four pence. Under the denomination of customs, might be also included the obligation to send corn to the lord's mill, there to be ground "to the twentieth vessel." But in case such a mill did not exist within the borough of Salford, which at that time we may suspect to have been the case, it is added, that the burgesses might grind their corn "wheresoever they would."

In the next place, the tenements of the borough were subjected to a commuted reduction of the heriot, or relief. Ranulph had, no doubt, been aware of the grievance which the free communes of France had sustained from the large amount of relief, which a burgher who inherited from another was obliged to pay before coming into possession of the property thus acquired,—which grievance had, in France, been corrected by Louis the Seventh. In the charter, therefore, which Ranulph granted to the burgesses of Salford, he declared that when a burgess died, the heir should give no other relief than his arms, to wit, a sword, or a bow, or a lance. Yet even this small amount of relief the earl was, perhaps, aware that he could not legally enforce, as it was in opposition to a statute of Henry the Second, which declared that when a possessor died, his armour should descend to his heir, and that the lord should not take the same from his vassal, whether under plea of forfeiture, gift, security, or any pretence whatever. Accordingly, the clause in Ranulph's charter could have no other effect than to render the armour of a deceased burgess amenable to the surveillance of the superior, who would, in this case, be charged to see that the other clauses in King Henry's statute were observed, namely, that no person should sell, pawn, or lend his armour, and that during the minority of a burgess, the guardian should take it in charge and should provide a man for service until his ward should be able to serve in person.

In the second place, the charter of Salford had for its object the extension of commercial dealings.

Agreeably to the old and inveterate error of ancient, as well as of modern times, industrial professions were supposed to be the best protected by excluding all persons from exercising their various trades, except within the borough and liberties of the barony, thus reserved for a commercial monopoly. For this purpose it was enacted, that no one within the wapentake of Salford, as shoemaker, leather dresser [pelliparis], fuller, or any such, should exercise his calling unless within the borough, saving the liberties of the barony. There was also an usual reservation of the lord's monopoly with regard to the baking of

bread, which necessarily interfered with the trade of the provision dealer, while it gave encouragement to the use of the private ovens of householders. Thus, the bread made to be sold was required to be baked in the lord's oven.

Ranulph did not, however, forbid the burgesses to purchase from occasional strangers frequenting marts and fairs. He gave permission that they might traffic with any one whomsoever either in buying or selling, or wherever it might be within his demesnes, whether in fairs or markets, exempt from toll, save the toll of salt. This last mentioned clause is curious. In the municipality of London, the lord mayor was accustomed to demand a similar impost of salt under the name of "granage." He levied the twentieth part of whatever salt was brought into the port of London. Salt was also subject to the regulation of an assize.

In the third place, the charter provided for the inhabitants of Salford a new and liberal system of internal jurisdiction, distinct from that of the sheriff, or from that of the wapentake:—for it was a law of Henry the First, that a man of one manor was not obliged to plead in another; and that persons were subjected to legal jurisdiction only where they resided.

Before the charter was granted, the town of Salford, like that of Manchester, was named a "port;"—each inhabitant was named a "porteman;"—while the prefect, who received his appointment from the lord of the wapentake, was named [as in Exeter, ancient London, and other places] "a portreeve." It is very possible that the "portmen" of Salford, as of many other towns or cities in England, had been enfranchised from such, or such a service, but that these concessions of privilege had not conferred upon them any extensive liberty. There appears to have existed in Salford, as well as in Manchester, a local jurisdiction, which, however, had nothing in it distinct from the baronial court, of which it was a branch. This court is alluded to in the charter of Earl Ranulph under the name of the laghemote. This law court had been created for the purpose of trying causes which had their exclusive origin in the disputes of the "portmen" of Salford, who, for this purpose, were enrolled in a distinct system of frank pledge. But the portmen did not possess an independent jurisdiction; they had not the right of naming their own magistrates, while "the port," or town, did not in a manner govern itself. In a spirit of civic liberalism, therefore, which the reign of Henry the Third was rapidly developing, it was declared that the burgesses might not only choose a reeve for themselves, but that the reeve should be removable at the end of the year, whence any perpetuity of the abuses of office would be obviated. This privilege was in imitation of the charter which the father of the present Earl of Chester had granted in the year 1181 to the men of Coventry, "that they should have a portmote court to hold pleas of everything among themselves, and that they should have one man among themselves skilled in the laws and customs to be judge over them."—In Chester, also, there was a portmote.

Under this new prefect, or reeve, the court leet, or "portmanmote," became the striking characteristic of the borough of Salford, which will be next explained.

The newer mote, or court, which was created by the charter of Ranulph under the name of the portmanmote, was dedicated, in the first place, to the view of frank pledge required from the portemen, or burgesses of Salford exclusively; and, in the second place, to the trial of such causes as appertained to the indwellers of Salford exclusively, being under the presidentship of the reeve, or pre-

fect, elected by the burgesses themselves, who, from this time henceforth, was named "a boroughreeve." A sort of democratic administration was thereby called into existence within the interior of the borough, opposed to that which the lords of fiefs exercised within the compass of their respective domains, with this exception only, that the "reevedom" of Salford, in its enactments or judgments, made a reservation of certain of the lord's manorial rights. The term "*salvo meo jure*," as expressed in Ranulf's charter, indicated that the judicial power exercised by the prefect, or reeve, was little more than a conditional delegation of baronial functions.

The obligation of each burgess to the judgment of the portmanmote was rendered imperative. It was enjoined, that if any one be impleaded of any plaint that belongeth to the borough, he should not answer neither to a burgess, nor to a villein [that is, of the manupast of some one], nor to any one else, unless in his portmote.

But notwithstanding the creation of the burgesses' own peculiar mote, the laghemote appears to have been a co-existing tribunal, requiring no less submission to its authority. This is to be inferred from the service which was still expected from what may be presumed to have been the older tribunal;—the penalty of twelve pence having been demanded if a burgess failed to obey the summons of the reeve at the laghemote. Yet, whether the laghemote eventually came to be regarded as a superior court, more under the direct cognizance of the lord of the wapentake, to which an appeal might be made against the judgment of the newer tribunal of the portmanmote,—or whether, on the contrary, it did not become a subsidiary court, summoned upon extraordinary occasions only, when the portmanmote was not sitting,—are questions more open to conjecture than to positive demonstration.

Other clauses of the charter of Earl Ranulf provided for the internal regulations of the portmanmote. For example, in the instance of any one being impleaded of his neighbour, or of any other person, in what appertained to the borough, and of his having followed up the same three days;—if he should have the testimony of the reeve and of his neighbours that his adversary was in default [or absent], he would be exonerated from being a respondent to the plaint, and his opponent would fall into amerceiament. It was also ordered [agreeably to the law of manupast], that any one might be at plea for his wife and family; and if, perchance, the husband should be elsewhere [or absent], the wife of any one might render up her goods and substance to the reeve, doing what she ought to do, and follow up the plea for her husband.

With regard to the civil causes, or offences, required to come under the notice of the portmanmote, or laghemote, the charter is not very explicit, whence we may infer, that there was some latitude given to the extent of the reeve's jurisdiction. The assize of bread and ale, for instance, properly belonged to the sheriff's tourn, or, at any rate, to the jurisdiction of the wapentake of Salford. But as the penalty was often slighted, the charter enacted, that any one who had three times incurred the forfeiture of twelve pence for an infraction of the assize, should, the fourth time [with the view of increasing the amount of penalty], make the assize of the town.

In the contracting of debts it was ordered, that the chattels of a burgess might be distrained for his own debts only, but not for those of another individual; and that if any burgess should implead another burgess for a debt, who should acknowledge the same, the reeve might assign to him a day, to wit the eighth, and if he failed to come on that day, he was required not only to discharge

the debt, but to pay the lord twelve pence for the forfeiture of the day, and four pence to the reeve.

In a charge of robbery, a burgess was required to undergo attachment by the reeve to answer the same, and to stand judgment in the portmanmote;—the lord reserving to himself his proper right [waif and stray].—[See page 33.]

In a charge of fray,—if any burgess should have stricken another burgess in anger, or have wounded him, without effusion of blood, he was required to make his peace in view of the borough,—the lord's right of twelve pence being reserved.

This last is the weightiest crime which is mentioned in the charter as falling under the cognizance of the portmanmote, whence we may infer that neither this court, nor even the laghemote, was competent to deal with cases of a more serious or aggravated description, such, for instance, as those which, in the time of Edward the Confessor, the mote of the hundred had proposed to redress. Of these were wounds with the effusion of blood, rape, obstructing the king's highway, removal of boundary marks, military desertion, enticing away a bondsman (which last charge was visited with the heavy fine of forty shillings,—a great sum for that period), and murder. Corporal injuries were also liable to the penalty of were,—intended as a requital for the vengeance imposed upon kinsmen, as a sacred and even hereditary duty. But times had changed:—by the constitutions of Clarendon, of the 21st of Henry the Second (1174-5), murder, theft, or robbery, were not left to private vengeance, but were tried by the oaths of twelve knights of the hundred (acting as compurgators, whence our trial by jury), and, if so many were not to be found, by the oaths of twelve freemen. Eventually, the advantage of trial by the great assize prevailed over that by battle.

Lastly, the charter was granted with the view of better enabling the borough of Salford to administer to the exigencies of the state.

Accordingly, Ranulf confirmed in the name of himself and heirs, all the invaluable liberties and customs offered to the burgesses and their heirs against all people for ever, saving a reasonable talliage, to be levied whenever the lord king should tax his boroughs throughout England.

This last extract from the charter is sufficient to shew, that one of the objects which Ranulf had in giving a free charter was to aid him in paying the talliaiges to which Henry the Third frequently resorted, as well as to aid in the supply of men required for foreign expeditions, or for the defence of Lancashire against the dreaded invasions of the Scots. With this object in view the incident of scot and lot was inseparable from a borough.—Thus, as lawyers have explained to us regarding this public duty, every freeman of a borough was to contribute to the public charges by paying with all other burgesses his scot, and taking his share in the other public burdens, or lot, that is, by serving in his turn in the wars, keeping watch and ward, and filling in succession the public offices which were required for the state generally, or locally for a borough.

And hence it was enacted in a law, that the freemen inhabiting the places of which they were burgesses, were bound to contribute to the common scot of the place, and to bear the lot of the public offices required to be performed there.

That the freemen of Salford were held to take their lot in active service upon the requisition of their sovereign, is proved by the description of heriot required upon the death of a burgess, consisting of a sword, or a bow,

or a lance. The score for which they were liable is exemplified in the talliages demanded.

Such were the privileges conferred upon the free burgesses of Salford. The value of them consisted, first, in the liberal terms upon which heritable burgages might be acquired; secondly, in the commercial encouragement given to industry, though, in some degree, based upon erroneous principles; and, thirdly, in the laws by which the free borough was to be governed,—which laws were even in advance of the age wherein they were framed. At the same time, the free burgesses were under the obligation to afford their quota of support, by means of talliages, to the exigencies of the state.

CHAPTER VI.

EVENTS DURING THE BARONIAL SWAY OF THOMAS GRESLET, THE SIXTH BARON.

Thomas Greslet succeeded his father about the year 1231. He was probably in his minority, as his investiture is not stated. He is simply recorded to have done homage for his lands.

In a post-mortem inquisition, "Robert de Gredly" is reported to have "held twelve knights' fees in the county of Lancaster, *infra limam et extra.*"

Upon the legitimacy of the term "*limam*," at least two different opinions have been expressed. Sir Peter Leicesters, in adverting to an old saying, "None do me service beyond the lime," regards the word "*lima*," or "*lime*," as an old corrupt version of "*LIMES*," and observes that there were two towns situated on the verge of the Cheshire palatinate, namely Ashton and Newcastle, to each of which the words "*subtus limam*" were appended.

Other antiquaries, however, have a very reasonable objection to the word "*limam*," which they would read "*lineam*," agreeably to the English version of Ashton-under-Line; and as pointing to the local situation of the town which was "under the line" of Mercian Cheshire, whence it would become distinguished from another Ashton, namely, Ashton-on-the-Mersey, which, as its name imports, was not situated "under" but "upon" the great Cestrian boundary.

But even this last explanation cannot but be received with hesitation, owing to the almost uniform, and even deliberate, preference given in ancient charters to the word "*limam*."

Happily, however, whether the twelve knights' fees of which Robert Greslet died possessed be read "*infra limam et extra*," or "*infra lineam et extra*," the meaning is the same. Upon each view a reference is made to the great Mercian, or Cheshire, verge, or line, which is to be traced along the south-easterly and southerly districts of the barony from the Tame to the Mersey.

For instance, such of the knights' fees as lay below the verge, or line, of the Mercian boundary, of which were those contiguous to the Tame or Mersey as we trace the same from Ashton-under-Line to Flixton,—as well as those occurring in the district of Widness, adjoining the great estuary of the Mersey, would become variously expressed by the term "*INFRA limam*," or perhaps "*INFRA lineam*."

On the other hand, such of the knights' fees as were

situated more remotely from the Mercian verge, or line, for instance those to the north of the Salford Hundred, or in Leyland, would be designated as *EXTRA limam*, or according to some antiquaries, "*extra lineam*."

§ 1. RANULPH DE BLUNDEVILLE RESISTS THE ENCROACHMENTS OF THE COURT AND OF THE PAPAL SEE.

About this time the lands of the kingdom became subject to the heavy contribution raised by Henry the Third, to enable him to discharge the debts contracted by his recent expedition into France. The contribution amounted to three marks for every knight's fee. As this levy did not prove sufficient, Henry called together a parliament to demand a further aid, which the Earl of Chester, in the name of the barons of England, refused, declaring that they had sufficiently assisted the monarch not only with their fortunes, but with a prodigal sacrifice of life.

Along with this mismanagement of state affairs, the people began to be clamorous on the subject of papal PROVISIONS, by which was meant the inhibition of English bishops and lay patrons from presenting English natives to such benefices as were, or might be, vacant, with the view of securing them to the enjoyment of foreign ecclesiastics, who were often Italian priests, or creatures of the pope. Against this abuse of the suspension of patronage, the Earl of Chester took an active part. He employed himself no less in moderating the public indignation, than in endeavouring to bring Hubert de Burgh, the ill-fated adviser of the king in his unconstitutional league with the pope, to a tribunal of his country.

This was the last act of De Blundeville's useful and meritorious life.

§ 2. RANULPH DE BLUNDEVILLE DIES, AND IS SUCCEEDED IN HIS LANCASHIRE POSSESSIONS BY WILLIAM DE FERRARS.

Ranulph de Blundeville died in the 17th of Henry the Third (1232-3), having custody of the castle and honour of Lancaster.

He had married, for his first wife, Constance, widow of Geoffrey, fourth son of Henry the Second, and mother of Prince Arthur [the Constance of Shakspeare's King John], who was daughter and heir of Conan, Duke of Brittany and Earl of Richmond, in right of whom Ranulph assumed the title of *Dux Britanniarum*, *Comes Cestrie et Richmondie*. He was divorced from her in the 2nd of John (1201), and married for his second wife, Clemence, daughter of William de Fulgiers, and sister of Geoffrey de Fulgiers, with whom he had the manor of Belington; and, lastly, he married for his third

wife, Margaret, daughter of Humfrey de Bohun. By none of his three wives had he issue.

Ranulph left his inheritance to be shared by his four sisters, co-heiresses, of whom Agnes, the third in point of age, had married William, Earl of Ferrars. She had for her share the castle of Chartley, in Staffordshire, and Powis, and, along with these, all the lands formerly possessed by William Peverel between the Ribble and the Mersey, which had been forfeited to Ranulf Gernons, her grandfather, as well as other Lancashire estates acquired by her late brother. To these lands was attached the payment of a relief of fifty pounds, as well as the annual tribute of a goshawk, or fifty shillings into the king's treasury.

William Earl of Ferrars was the sixth in lineal descent from Robert de Ferrars, lord of Tutbury, who had been raised by King Stephen to the earldom of Derby, for his prowess at the battle of the Standard; which title had been confirmed to the family in the 7th of John (1205-6).

§ 3. A DEAN OF MANCHESTER IS RECORDED BY HOLLINWORTH AS LIVING IN THE YEAR 1235.

This dean has the initial J prefixed to his title, and hence, it is possible he might have been the same with one who lived in the time of the late baron, Robert Greslet.—[See page 41.] Hollinworth states as follows:—"In ould evidence I find, Anno 1235, J Decan de Manucestre. Jurdan Capellan ejusdem villæ."

§ 4. THE FUNCTIONS AND JURISDICTION OF THE DEAN RURAL.

In the thirteenth century, when the diocese of Litchfield and Coventry comprised that of Chester, the diocese of Chester, as I have already remarked, contained two archdeaconries, namely, those of Chester and Richmond. While the latter comprised eight deaneries only, the archdeaconry of Chester could boast of twelve, among which the united deanery of Manchester and Blackburn was co-existent in Lancashire with two others, namely, those of Warrington and Leyland. The united deanery of Manchester and Blackburn then included ten churches or parishes, namely, of Manchester, Eccles, Prestwich, Bury, Middleton, Rochdale, Ashton, Flixton, Blackburn, and Whalley. No historical proof, however, is afforded that it was the rector of Manchester, who, in the quality of dean, uniformly presided over these ten churches, or, in other words, that the functions of the rector and the dean of Manchester were necessarily united in one and the same person. It is possible to suppose that the incumbent of any one of these ten churches,

or, even that some active clerk without any living whatever in the deanery, might have been appointed dean rural over the whole.

A dean of Manchester having been thus traced in the annals of the thirteenth century, it will be our next object to investigate the nature and character of his clerical functions, regarding which much additional light has been recently thrown by the Rev. William Dansey, in his *Horæ Decanicæ Rurales*.

In most parts of England the deans owed their appointment to bishops. In some localities they were said to have been chosen by the archdeacon, the clergy, and the people, subject to an episcopal approval. But in the archdeaconries of Richmond and Chester, both before and after the foundation of the see of Chester, the rural deans were exclusively the servants of these archdeacons, whose power within their respective archdeaconries was an irresponsible one;—who were so entirely exempt from episcopal rule, that they could even refuse citations to appear at the archiepiscopal court of York. No traces also of their appointments are to be found in the episcopal records of the see of Lichfield and Coventry.—[*Horæ Dec.*, vol. i, p. 119, 152, and vol. ii, p. 609.]

The duties of the rural dean may be summed up as follows:—Along with a supervision of the religious and moral state of the laity, he was under the obligation to see that the spiritual ministrations of the clergy were correctly performed. The lives and manners of the clergy also came under his notice. He even examined candidates for holy orders. He was the guardian of the temporalities of the churches comprised within his deanery. Every three weeks he presided over the rural chapters, in which a voluntary or contentious jurisdiction was exercised. Lastly, at episcopal synods he was the delegate and representative of the parochial clergy comprised within his deanery.

In the exercise of these various functions, an assistant, under the name of a sub-dean, or chaplain, was allowed to the dean. It was also required that deans and sub-deans should be distinguished by their attire:—they were ordered to dress their person in close copes; *cappis clausis decenter utantur*.—[*Hor. Dec. Rur.*, vol. i, p. 223, and vol. ii, p. 21-4.]

Decanal apparitors, or beadles, were likewise allowed to the deans;—every apparitor to be of the order of acolyth. While the deans were summoners, the bedels aided in the execution of the decanal office.—[*Horæ Dec. Rur.*, vol. i, p. 381-6.]

In the more ancient canons, nothing is said about rural chapters in England. In a later period

of Anglo-Norman history, while the bishop ruled our synods, his deputy, the archdeacon, or otherwise a rural dean, presided over chapters. In some places, the rural deans, who were first inspectors and afterwards judges, enjoyed a perpetual jurisdiction, being subordinate only to the archbishop and bishop (*vicarii episcopi et archiepiscopi*), with power to act by themselves as deputies.

It has been supposed that the dean was invested in his office by the delivery of a common seal, which was chiefly for the purpose of being appended to the decrees of the chapters, and that this was the ordinary way of instituting rural deans; the seal being returnable to the bishop, or archdeacon, upon the death of each dean, or committed into custody by his order, preparatory to being delivered over to a successor.

An oath also was no doubt administered, but we possess only a modern form of one, which throws little or no light on the usages of the thirteenth century.

The last object of inquiry has a local interest. It relates to the alleged union of the rectoral and decanal office in Manchester.

It is easy to suppose, that, if the rector of Manchester was necessarily a dean, as Whittaker imagined, any long absence from his weighty responsibilities would have been impossible. Yet in a memorial of the fifteenth century representing the religious destitution of Manchester, it was distinctly and most solemnly declared, that in by-gone days the rectors were remote, and very seldom cared to personally reside in the parish. Under these circumstances, it is not easy to suppose that the archdeacon of Chester, to whom the selection of a rural dean was intrusted, would have preferred the rector of Manchester, as the most suitable functionary to superintend the spiritual concerns of the ten livings which conjointly formed the deanery. The presumption rather is, that the office of dean of Manchester was not unfrequently sought from some other incumbency within the district. I need not add how much this view is strengthened by the fact, that Albert de Neville merely designated himself "Rector of the Church of the Blessed Mary of Manchester." If he had been likewise a dean, surely the title would not have been omitted.

The conclusion is, that the rector of Manchester was not uniformly, but occasionally, dean of the deanery of Manchester and Blackburn.

In the foregoing section no attempt has been made to explain, in their full detail, the decanal functions and jurisdiction. If complete satisfaction on this subject is

required, recourse must be had to the learned work of the Reverend William Dansey, which leaves us nothing to wish for.

Yet, that there may not be a perfect blank under this head of inquiry, I have attempted, with no little labour, to so condense the information diffused through the two copious volumes of the *Horæ Decanice Rurales*, as that an outline, certainly a faint one, may be presented of the office and jurisdiction of the dean rural.

In this abstract I shall describe, under separate heads, (a) the functions, and (b) the jurisdiction of deans rural.

(a) THE FUNCTIONS OF DEANS RURAL.

The functions of deans rural may be briefly explained after the following manner:—

In the first place, there was intrusted to them a supervision of the laity. A coercive power was given them, independently of chapters, which was sanctioned by the pope, to reprove Christians who lived in any open and scandalous sin, and to exhort them to repent, as they would answer to God and the church. The deans might also allow any layman to vindicate himself by a certain number of compurgators. Occasionally they were, as we might suppose, confessors and penitentiaries. They were also exorcists and catechists. And, lastly, funeral and testamentary duties were intrusted to them, being charged with lay burials and lay testaments. They could, for instance, inhibit Christian burial to laymen guilty of usurious exaction, unless before death they had made ample restitution for wrongs committed.—[*Horæ Dec. Rur.*, vol. i, p. 228, 230, 245, 250, 252, 338, &c.]

2ndly. Another duty of the rural deans was the supervision of the spiritual ministrations of the clergy. They were, in fact, specially charged to support church discipline, and supervise the externals of religion, being, in this respect, a description of spiritual police. While they officiated in the teaching and enforcing of sacramental duties, they presented to the ordinary, all cases of dereliction; they exposed, for instance, the names of such priests as for lucre's sake would say two masses instead of one;—they were responsible that the duties of the Rogation Week, in processions, or parochial perambulation, were complied with;—they took cognizance of the non-observance of the canonical hours;—and they were required to notice that the clergy were strictly canonical in their habit and tonsure.—[*Horæ Dec. Rur.*, vol. i, p. 254, 267, 288, 294, 298, 337, &c.]

3rdly. The lives and manners of the clergy came under the supervision of rural deans. This was an important office at a time, when, according to English historians, the peace was frequently broken by the dissoluteness of clerks, the numbers of whom were more than was requisite for the exigencies of the church. While it was the office of deans rural to visit, admonish, and console the clergy in health and in sickness, in life and in death, they exercised in their parochial visitations a severe scrutiny over moral conduct. The clergy were forbidden dishonest games, such as running at the quintain, miracle plays, may-day sports, or dice. In the time of Henry the First, when the clergy of the realm were allowed the society of their wives upon the payment of a certain composition and yearly tax, the deans collected for the king's treasury these "wife compositions." But in the more rigorous times which followed, it became the duty of deans rural to notify the marriages and other carnal excesses of the clergy, and to punish incontinence. Very frequently, in the chastisement of clerical offenders, the civil and ecclesiastical courts came into collision; in which case, whenever

a clerk, shaven and shorn, was made prisoner, the dean rural was required to intercede for his immediate liberation.—[*Horæ Dec. Rur.*, vol. i, p. 164, 178, 259, 269, 271, 279, 282-7, 344, &c.]

It is supposed that deans rural examined candidates for holy orders, and that they were instrumental in presenting such as were approved of to the altar, for the episcopal act of ordination. It is more certain, however, that they were concerned with induction, or with giving corporal possession of benefices. Thus, in 1220, it is recorded of a dean rural, that he inducted a prior and canons into certain appropriated tithes. They were also empowered to prohibit the sons of clergymen, or "illegitimates," from succeeding to ecclesiastical benefices without the papal dispensation.—A similar vigilance (not adverted to by Mr. Dansey) they would, no doubt, exercise in regard to any illegal, or clandestine attempt of villeins to obtain ordination. Agreeably to a regulation of Henry the Second (cited by Merewether and Stephens), no villein could be ordained without the assent of the lord upon whose land he was born, for this reason, that ordination, or dedication to religion would have made him free from the jurisdiction of his lord.—And that no informalities, from any source whatever, might occur, rural deans were required to keep registers of all priests and other clergy who might officiate within their respective jurisdictions;—they were to announce the death of any clergyman to all the mother churches of their respective jurisdictions;—to specify whether the party died testate, or intestate;—and to see that the rites of burial were duly celebrated over all departed pastors of their respective deaneries.—[*Horæ Dec. Rur.*, vol. i, p. 262-6, 302, 308, 361, 368-74, &c.]

4thly. In the next place, deans were the guardians of the temporalities of the church, on most occasions. It may be shewn, for instance, that in the year 1220, a decanal inquisition valued the rectories by which the five vacancies of the priory of Dunstable were formed. A similar vigilance was exercised by the deans rural during sequestrations. "It appears," says Mr. Dansey, "that the whole of the ministerial department of sequestration,—whether during the vacation of a benefice for the supply of the cure, the management of the profits and sustentation of the church buildings,—or, during incumbency, for enforcing necessary repairs (in case of noncompliance on the part of the beneficiary, after due admonition to amend defects),—or, pendente lite, in instances of disputed title,—or for neglect of serving the cure after institution and induction,—or for debts, or any other cause,—was consigned, of old, to deans rural in England." In connexion with these duties, deans rural had the care and examination of the material fabric of the church and ecclesiastical buildings generally, including the manse, the church yard, church utensils, goods and ornaments, sacraments and sacramentals. Again, in co-operation with archdeacons, they were enforcers of the sentence of superior judges in tithe causes; while, for the recovery of mortuaries and heriots, they possessed an independent authority.—[*Horæ Dec. Rur.*, vol. i, p. 311, 320-38, and vol. ii, p. 65-74, &c.]

Owing to this familiarity of deans rural with the labour of appreciating the value of benefices, the papal see was at length induced to make use of their services in the valuation of all ecclesiastical endowments whatever, with a view to the compilation of a valor beneficiorum, or book of rates, by which all incumbents, whether religious or secular, were assessed in the amount required from them of the first fruits and tenths of their revenues, as well as in all other subsidies demanded for the purpose of

regaining the Holy Land, or any other pretence.—[*Horæ Dec. Rur.*, vol. i, p. 413-22, and vol. ii, p. 94-7.]

That deans rural were made accountable for the annual tribute of Peter pence, collected from every family at the feast of Saint Peter, is not recorded, except in the diocese of Canterbury. They were not, however, merely collectors of the pope's impositions. It is stated, in Bishop Gastrell's account of the later ecclesiastical jurisdiction of Chester, that they were likewise obliged to collect the synodals, pensions, and other dues belonging to the bishop. This was, no doubt, an office very anciently intrusted to the dean rural, having resulted from the power which he possessed in presiding over rural chapters, to enforce all the dues of the church.—[*Notitia Cestriensis*, vol. i, p. 27. Edited by the Rev. F. R. Raine for the Chetham Society.]

The origin of synodals, or cathedraica, has been explained after the following manner:—Parishes were originally comprised, or not comprised, within the sphere of a regular diocese. When the parochial church was partitioned off from the cathedral endowment, an acknowledgment, in token of subjection, was given to the bishop in the form of an annual pension, named cathedraicum,—conceived to be the same as the church scot of the Anglo-Saxon church.—[*Horæ Dec. Rur.*, vol. i, p. 82 and 421.]

Other church dues, besides those mentioned, supposed to have been collected by deans rural were pentecostals, or Whitsun farthings, being the oblations of parishioners rendered originally to the mother church, but, at a later period, to their priests.—[*Horæ Dec. Rur.*, vol. i, p. 423-4; Dr. Hook's *Eccles. Dict.*, 5th ed., p. 714.]

A last ecclesiastical imposition, described by Whittaker as collected in Manchester, which would fall under the cognizance of the dean rural, was the leot-shot, or wax money, which consisted of a certain quantity of wax due from each hide of land of the value of one silver penny, being paid three times a year (a halfpenny each time), namely, at Candlemas, at the vigil of Easter, and at that of All Saints.

(b) THE JURISDICTION OF DEANS RURAL.

After having at length stated the functions of deans rural, the next object is to explain the institution and economy of the rural chapters, otherwise called consistory, calends, synods, and sessions, by which they were enforced.—[*Horæ Dec. Rur.*, vol. ii, p. 41.]

By the term "chapter" may be understood the clergy of the guild, or deanery, assembled under a rural dean. It was a sort of ambulatory curia Christianitatis, of which the president was a decanus Christianitatis. The rural chapter consisted of parochial incumbents of each deanery, or their curates, as proxies; while the rural dean officiated as president, and, in his absence, a sub-dean, who, with the consent of the diocesan, or archdeacon, had a vicarious commission.—[*Horæ Dec. Rur.*, vol. ii, p. 1-20, 23.]

In England two descriptions of rural chapters were constituted;—the first, in imitation of the secular courts of manors, was held every three weeks for ordinary business;—while the second was probably intended to be analogous to the periodical hundred courts of Michaelmas and Lady-day,—with this difference however, that while hundred courts were annually held twice, spiritual tribunals were convened four times a year.—[*Horæ Dec. Rur.*, vol. ii, p. 6, &c.]

Rural chapters possessed a jurisdiction which was either voluntary or contentious.

When the jurisdiction was voluntary, it was founded

upon the inspectional report of congregated ministers without the solemnity of a judicial process, and it might be exercised without the intervention of clerical co-assessors. In such a report was conveyed a perfect knowledge of the moral and religious conduct of the deanery, with a view to correction.—[*Horæ Dec. Rur.*, vol. ii, p. 33-40.]

But when the jurisdiction assumed a contentious character, much of the matter was transacted which now belongs to ecclesiastical courts. Personal suits were adjusted, and, upon formal presentment being made of offenders against the law and discipline of the church, the dean, after examination and proof of the same, merely admonished such parties as were guilty of minor irregularities; while, for any greater crime, he had the power of suspending laymen from the sacraments, and clergymen from the execution of their office;—but he could not proceed to any more serious punishment.—[*Horæ Dec. Rur.*, vol. ii, p. 41-55.]

The punishments capable of being inflicted by rural courts Christian, are stated to be as follows:—monition, purgation, penance, suspension “*ab ingressu ecclesiæ*,” and suspension “*ab officio et beneficio*.” There may be a doubt whether excommunication was a power legally vested in the dean, but it was said to have been inflicted in the case of refusal of tithes. With regard to fines, the deans were forbidden to accept any pecuniary commutations for crimes amenable to their jurisdiction.—[*Horæ Dec. Rur.*, vol. ii, p. 56-65.]

Whether, by a prescriptive privilege, rural chapters could take cognizance of matrimonial causes, as of divorce, &c., without a special episcopal, or archiepiscopal permission, has been disputed.—[*Horæ Dec. Rur.*, vol. ii, p. 81-6.]

In some dioceses the deans rural possessed a testamentary jurisdiction;—a practice which long survived the abolition of most other privileges of rural chapters, particularly in the archdeaconry of Chester, as was pointed out by Whittaker.—[*Hist. of Manchester*, 4to, vol. ii, p. 385; *Horæ Dec. Rur.*, vol. i, p. 185, and vol. ii, p. 75-80.]

Again,—a power was exercised in the rural court Christian of holding inquisitions of vacant benefices, involving the right of patrons and the qualifications of the clerks presented. But, in a period of church history wherein, as will be shewn hereafter, the grossest and most profligate abuses subsisted in the dispensation of patronage, it was found that the evil was increased by the submission of contested questions of this nature to the needy members of rural chapters, among whom, the power vested in them was often abused, to the displacement of rightful incumbents, and to the substitution of illegal successors. As a consequence, in the year 1281, Archbishop Peckham abrogated the privilege.—[*Horæ Dec. Rur.*, vol. ii, p. 87-91.]

In other questions, however, less favorable to the influence of intrigue and bribery, where little more was required than a local knowledge of the property of the church submitted to arbitration, the decision of rural chapters became more satisfactory, as, for instance, in questions of appropriation.

After the principle of APPROPRIATION had been introduced into the English church, by which rectories, originally possessed of tithes, glebe, and offerings, were assigned to religious houses and monasteries, whence the origin of vicarages, the chapters of the deans rural were highly useful to diocesans in the inquisitions which were made into the value of the rectories, and the competent portions to be assigned to the vicarages, for the purpose of localising and maintaining a parochial clergy.—[*Horæ Dec. Rur.*, vol. ii, p. 92, 93.]

In the next place, may be explained the subordination of decanal to episcopal synods;—premising, however, that synods were not unfrequently claimed by archdeacons, upon the plea of prescription, &c.

Deans rural were concerned in the citation of delinquents into higher spiritual courts, and of making certificatory returns, receiving warrants from the bishop, or his substitute.—[*Horæ Dec. Rur.*, vol. i, p. 375-80.]

The constitution of a synod was as follows:—It consisted of the bishop, as president;—of cathedral deans, in the name of their collegiate body of Presbyters;—of archdeacons, as deputies, or proctors, of the inferior order of deans;—of rural deans, in the name of the parochial clergy, as the proper delegates, and standing representatives of that body, to consult with the bishop upon all matters connected with the church and its local discipline;—and of the parochial clergy, who, in addition to deans and archdeacons, were obliged to personal attendance, but if prevented by sickness, or other causes, might depute the archdeacons and rural deans to act for them, after the manner of German synods.—[*Horæ Dec. Rur.*, vol. i, p. 206-27.]

Synods were held in different places and periods twice a year,—though Lyndwood says only once a year. These synods undertook to punish with the censures of the church the refusal to attend decanal capitula.—[*Horæ Dec. Rur.*, vol. i, p. 185 and 212.]

When the members of synods were assembled in council, the deans, agreeably to their injunctions to be diligent in their overseership, presented to the bishop their acts of visitation, attesting the same upon oath, and informing him daily, or by letter, of the temporal and spiritual circumstances of their respective decanates, delivering to him formal presentments, in scriptis, of all that was amiss in the rural districts under their charge;—paying also the several taxes due on account of the parochial clergy to the diocesan, of which imposts they were the official collectors.—[*Horæ Dec. Rur.*, vol. i, p. 215.]

Deans rural had some necessary attendants at these synods. They were accompanied by two “*juratores synodi*,” or “*testes synodales*,”—whence our questmen, or sidesmen, i. e. synodmen. It was also customary for them to employ “*maturiores, honestiores atque veraciores viros*,” as synodal witnesses, to give information upon oath.—[*Horæ Dec. Rur.*, vol. i, p. 206, &c.]

At these synods reference was not unfrequently made to the proceedings of decanal chapters, which were often highly useful to the diocesans, as, for instance, in making ordinations of vicarages, aided by decanal capitula.—[*Horæ Dec. Rur.*, vol. ii, p. 93.]

Such were the functions of the dean rural, which were both onerous and complicated. A natural question occurs,—in what way was this functionary reimbursed?

In the earliest accounts of deans rural, they appear to have laboured under a want of fixed salaries, whereby they were induced to extort extravagant fees. But, in 1240, Walter de Cantelupe, Bishop of Worcester, forbade them to accept any pecuniary composition for crimes amenable to their jurisdiction. It has been also stated, that deans rural had in general no coming in; but this is difficult to credit. In the *Notitia Cestriensis* of Bishop Gastrell, it appears that the office of the dean rural was considered so lucrative, that a certain rent was paid by him to the bishop in consideration of the profits which he enjoyed. But it is uncertain if this rent was incidental to the office so early as the thirteenth century.

We know more of the manner in which the dean rural was reimbursed for his personal expenses at these chapters.

Whittaker has explained, that the rural dean had a right from each beneficed clergyman, or church, personally visited by him, of a procuration from each, or one day's entertainment for himself and his attendants. Eventually, these procurations, which originally consisted in provisions, were commuted for pecuniary compositions.—[Whittaker's *Manchester*, 4to, vol. ii, p. 384; *Horæ Dec. Rur.*, vol. i, p. 164, 172-4.]

With this brief sketch of the office of the ancient dean rural, my task is completed, in the course of which an accumulation of references to each individual page whence the information might have been collected, has been avoided as liable to greatly embarrass the course of the narrative. And if in any instance a doubt may arise in the want of perspicuity or stability of the information produced, I would prefer that a suspicion of misconstruction, or inadvertence, be attached to myself, rather than that any exception should be taken to an author whose learning, industry, and care, have produced one of the best monologues extant, in this department of ecclesiastical history.

§ 5. CERTAIN FEUDAL EVENTS WHICH OCCURRED AFTER THOMAS GRESLET CAME OF AGE.

Subsequently to Thomas Greslet coming of age, we may take a glance at the feudal state of the barony.

In the livery of lands, which, by the death of Ranulph Blundeville, Earl of Chester, fell to the share of Agnes, wife of William de Ferrars, some delay took place, owing to their having been seized, at the instance of the king, for alleged misdemeanors of bailiffs. It was not, therefore, before the 26th of Henry the Third (1241-2), that the earl was allowed, by virtue of a fine of one hundred pounds to the king, to have the livery of the three wapentakes of West Derby, Leyland, and Salford. And as William de Ferrars had the custody of the Honour of Lancaster, the feudal tenures of the barony of Manchester then began to be expressed after the following manner:—"Roger de Pilkington had the fourth part of a knight's fee, of the fee of Thomas de Grely, who then held it under the Earl of Ferrars, the king's tenant in chief." Or, as on another occasion: "Gilbert de Barton held a knight's fee in Barton, of the fee of Thomas Grely, and he of the lord of the honour of Lancaster, and the earl of the king."

Immediately afterwards, the county of Lancaster became an earldom. Eleonora, wife of Henry the Third, had an uncle, Peter of Savoy, who was created Earl of Lancaster.

In connexion, apparently, with the appointment, we find it recorded of Thomas Greslet, as well as of his successors in the barony of Manchester, that he became liable to take his turn in the duty of castleward, in Lancaster.

Of the military force of this period, two kinds

existed. The first, which chiefly employed the watch and ward of borough towns, or castleward, was to protect our domestic peace from aggression or disturbance;—while the second, to which we may next direct our attention, was to maintain the king's and the nation's rights abroad.

The military services of this period, comprising the quotas required of money and men, which were imperative upon the possessors of fiefs, varied from twenty to forty, and even to sixty days. Half a fief imposed half a service, and so on. These services were fulfilled by feudatories, sometimes alone, but, more frequently, accompanied with a certain number of men.

At this time (the 26th of Henry the Third), we find the king, at the instigation of his mother Isabel, who had married for her second husband the Count de la March, determined to make fresh attempts to recover the domains of France, of which he had been bereaved. His application, however, to the parliament for aid was fruitless. They had no heart for a renewal of the expensive and ill-planned campaigns of the weak monarch. Upon this occasion it is recorded, that when Thomas Greslet had summons to fit himself with horse and arms to attend the king in his expedition into France, he gave one hundred marks, besides his ordinary scutage, to be free from that duty.

Henry, however, was not to be diverted from his object. In the following year (the 27th of Henry the Third) he embarked for Rochelle, and, in this campaign, Thomas Greslet was induced to serve. Being thus in the king's service beyond the sea, he was quit of his service of castle guard to the county of Lancaster.

The expedition, which was ushered in by the reduction of Fontenoy, proved in the end most disastrous. As Henry obtained little support from the promises of the Count de la March, a truce took place with Lewis most disgraceful to the English arms.

The support which Thomas Greslet gave to his sovereign must have been an expensive one, of which some few indications may be traced in the subinfeftments which took place about this period, as, for instance, of part of a knight's fee to Richard de Perpund, of half a knight's fee in Rumworth to William de Worthington, of lands in Worthington to Robert de Latham, &c., &c.

In the 31st of Henry the Third (1246-7), William de Ferrars, who had married Agnes, sister and co-heir of Ranulph de Blundeville, died, leaving issue William his successor. But it was not until four or five years afterwards that the heir William de Ferrars [Comes Derby] had a grant of

such offices for conservation of the peace between the rivers Ribble and Mersey, as Ranulph, Earl of Chester, formerly had, and, along with these, Liverpool, West Derby, Boulton, Penelton, Salford, &c., &c.

The last feudal event to be recorded is the grant of free warren, which Thomas Greslet had confirmed to him over the lands of Manchester and Horewich.

Within the barony there was much sporting ground. The wood of Aldport, a mile in circumference, which was used by the tenants of Manchester for pannage, contained within it an aery of hawks, and eagles. The park of Blakelegh, covered with oaks, was seven miles in circumference;—it was productive in honey, bees, and "mineral earths;" it was valued for its pannage, and it contained an aery of eagles, besides herons and hawks. But the glory of the whole was the extensive chase of Horwich, which merits a more particular description.

It is evident, from an examination of manorial records, that a prescriptive liberty of the chase had subsisted throughout the barony of Manchester time out of mind, and that local forest laws had been framed for the protection of the game to the use of the lord. But in order to obviate any dispute to the contrary, from the newly-created Earl of Lancaster, a confirmation of the privilege by the crown was desirable.

As no animals of the class of *feræ naturæ* could be appropriated without license of the king, unless they were claimed by prescription, which was frequently challenged, and as no lands could otherwise be converted into a franchise or privileged place for the keeping of beasts and fowls of the warren, the lord of Manchester had availed himself of the well known inclination of the king to relax the severity of the forest laws, and interceded with such success that in the 33rd of Henry the Third [A.D. 1248-9] he had obtained the royal grant of a free warren over the estates of his barony.

Thomas Greslet, in the spirit of the Norman Veneur, regarded the forest of Horewich as the most valuable appendage of the manor of Manchester. It is also rendered highly probable, from an examination of manorial records, that the baron's chief residence was not at Manchester, but at a hunting seat which he built for himself at, or near, Heton-under-the-Forest, for the sake of hunting and hawking upon the grounds of Horewich.

A street (one of the oldest in Manchester) meeting at right angles the northern termination of the Denesgate, and anciently running parallel to, and overlooking the dene, or ravine, by which the Baron's Hull was insulated,

led across the Irwell at Salford to the Upper Bailiwick of the barony, of which Heton-under-the-Forest was the chief seat. This street, from time immemorial, has borne the name of "Cateaton" street. Can "Cateaton" have been a corruption of "Gate Heton?"—the C and the G in Lancashire being often mutually interchangeable letters, while the H is rarely aspirated. In withholding an opinion on this question myself, I shall leave it, as in a former case, to be determined by some learned Lancashire Dry-asdust, with the remark, that near York there is still a "Gate Fulford," indicating the road leading to Fulford, and a "Gate Helmsley," or the road approaching Helmsley;—the same mode of expression occurring in other parts of England. Hence, the term Gate Heton, if Cateaton be supposed a corruption of the same, would merely indicate the ancient road leading from the Lower to the Upper bailiwick of the barony. But if this etymology be unsatisfactory, I would recommend the reader to suppose with many Manchester antiquaries, that the name of the street "Cateaton" identifies itself with its original resident, "Kate Eaton," probably cotemporary with the Giant Tarquin of the Castle-field.

But to return to the forest of Horewich.

The forest laws of Horewich are so highly curious, that it would be unpardonable not to notice them, even though the object of this work be strictly ecclesiastical. Although not described until the extent of the barony was taken in 1322, they have a date of origin which is referable to a far more remote period; the right of free warren in the barony having been originally prescriptive.

THE FOREST LAWS OF HOREWICH.

In a manorial record of Kuerden, the extent of the forest of Horewich is stated at sixteen miles in circumference. A very interesting account of its natural physiognomy was drawn up nearly seventy years ago by Mr. Dorning Rasbotham, who, in remarking that this ancient forest, with its wild boars, falcons, and eagles, and with its woody dingles, had disappeared, gives the following traits of its rude scenery—"of its wild and steril mountains and regions of the moors." The brook of the valley, as he adds, shows the violence with which the floods after heavy rains sweep down with a noise resembling thunder, while the channel is filled with rude fragments of rock which have tumbled over each other. Interspersed also, in this savage district, are remains of antiquity to which the remotest dates belong. Of these are "the Wilder Lads," which crown the summit of Horewich Moor, being two rude piles of stone comprised within a large circular mound; the "Hanging," or "Giants Stone," situated in the township of Turton, which is a large stone elevated upon another piece of rock, with the rude mark upon it of a cross. To these might be added "the Danes' Dyke," running from north-west to south-east.

But we may now confine ourselves to the period of the Greslets.

The moor of Horwich is described as arising from both wood and pasture; having a vesture of oaks, elms, and other trees, which extended to the adjoining township of Lostock, where, in addition to oaks, hazel trees and thorns are described.

Although the extent of the forest was rated at sixteen miles in circumference, its boundaries were so much disputed by adjoining proprietors, among whom were the Lacies, that the greatest vigilance was required to prevent intrusion, or trespasses. According to the manorial record, it was so "several," or divided, "that none might enter it without leave of the lord."

The laws of the chase, as they appear in the "extenta manorii," were as follows:—

Three foresters were required to be sworn, and assigned to keep the forest of Horwich. They were to be supported in bread, drink, and victuals by the tenants, or cultivators, of forty bovates of land. Eight of these bovates are stated to lie in Lostock; four in Rumworth; four in Heton-under-the-Forest; three in Halliwell; one in Sharpley; two in Longworth; and seven in Anderton. The names of the remaining bovates do not appear.

The duties of the foresters may now be described. The chief of these was to answer to the lord for all trespasses in the pannage, herbage, minerals, honey, bees, aeries of hawks, herons, and eagles; verd, venison, and all the like issues of the forests by themselves, or otherwise, according to the contingencies, or seasons of the year. The minerals are elsewhere described as consisting of millstones, iron, ores, and ashes, indicating the ancient existence of "blowshoppes." It is also stated, that in the adjoining township of Lostock, there occurs a pannage, aeries of eagles, herons and hawks, honey and bees.

The fines for trespasses were as follows:—For any beast found in the forest without a license, the owner, by fixed custom, was to give sixpence; and in case of one hundred beasts, more or less, being found without license in this forest belonging to one owner, there was not more to be given for that trespass than sixpence, as aforesaid.

Another duty of the three foresters related to agistments, by which was meant the rates charged for feeding other men's cattle. It was ordered, that the foresters should answer to the lord for all agistments, as made by the lord's bailiffs, or by themselves, on their behalf, if thus required.

Some proportion of the emoluments arising from forfeitures and agistments, no doubt, fell to the share of the three foresters; for it was demanded, that they should give for their bailiwick every year four pounds.

In the next place, various directions were given to the three foresters concerning the preservature of the hawks.

The first of these related to the survey of the nests during the breeding season. It was required that when the hawks had begun to prepare their nests, the foresters should forewarn the villagers to assemble in "Horewichley," and, being sworn, they were to thence go through all the forest, and see how many nests had been made.

In the second place, during the hatching season, the foresters were required to remain in the forests guarding the nests by day and by night until the feast of Saint Barnabas ["the longest day and the shortest night"]. During the time of the foresters guarding the nests, every bovarius, or cowherd, was to find for them six oaten loaves and one pennyworth of victuals.

In the third place, on the day of Saint Barnabas, when it was presumed that the hawks had hatched, the villagers were to return into the forest to take the chickens from the nests, delivering each to the foresters, or other of the lord's bailiffs there present.

And if the villagers or cowherds should fail in their duty, they might be prosecuted in the court of Manchester, after the manner of [neglect in] the custom of ploughing.

The penalties, according to the custom of ploughing, are described as follows:—"And if they fail in any article of the said customs, they may be prosecuted by the foresters in the court of Manchester, and there punished according to the law and custom, by the customs of ploughing, to wit, that they should plough every bovat

of land, arable of old time, and not newly laid out, belonging as well to Michael [in the Harl. MSS. Nicholas] de Longeford as his tenants, and all others in Whithenton, Ditesbury, Barlow, Chatterton, Denton, and Haldon, wherever they should be assigned in Manchester, if the possessor of that bovat have a plough at the time."—[See Keurden's MSS. in the Chetham library; also apud Baines, vol. ii, p. 187.]

§ 6. THE LANDS OF ORDESHAL, WHERE EXISTED THE CHAPEL OF A HERMITAGE, ARE CONVEYED TO DAVID DE HULTON.

The cave of Ordeshal, originally dedicated to the rites of Odin, was probably first modelled into a Christian chapel by Cluniac monks, invited over at the close of the eleventh century by William Peverel, lord of Nottingham. These pious men are supposed to have aided in the safe conduct of travellers during the sudden rise of waters to which the Irwell was subject.—[See page 10-13.]

In the middle of the thirteenth century, however, or perhaps long before, it would appear that these offices of mercy had fallen into disuetude. In order, notwithstanding, to afford some security against the perils of deep flooded wastes, stone crosses were erected at various intervals of distance along the proper track, vestiges of which remain near Stretford and elsewhere, consisting of headless pedestals. In a complete state, these Christian emblems, inviting adoration, were hailed as landmarks, or as meters of the depth of the waters, calculated to fortify and cheer the sinking spirits of the devout, yet faltering wanderer.

The lands of Ordesal, distinguished by the hermitage, lay contiguous to the sixth part of the fee which Richard de Hulton had held of the fee of the Earl of Ferrars (brother-in-law of Ranulph de Blundeville), who held it in chief of the king. The son and successor of this earl, William de Ferrars, conveyed to David de Hulton, along with land in Flixton, the manor of Hordeshall [Ordsall], for the homage and service of two marks of silver, and the sixth part of a knight's fee.

§ 7. THE SUFFERINGS OF THE CHURCH FROM PAPAL PROVISIONS, NO LESS THAN FROM ROYAL INTERFERENCE.

During this period, great were the evils arising from the rights of patronage to ecclesiastical benefices being arbitrarily suspended by the pope, no less than by the king.

It was in the year 1241, that the pope had given orders to the Archbishop of Canterbury and to two of the bishops, to reserve no fewer than three hundred of the best livings in England for the use of the Italian clergy, on pain of being suspended

from the power of collating. Owing to this, no less than to other tyrannical provocations, the evils and discontents occasioned by papal provisions became so great, that, in 1245, a letter had been addressed by the nobles and commons of England to Pope Innocent the Fourth, at the general council of Lyons, which boldly set forth the spiritual grievances of the nation. Among numerous complaints, first, of the immense subsidies transmitted through different legates to the church of Rome, and secondly, of the injustice sustained by religious houses in their being defrauded of their rightful patronages and collations of benefices, the petition went on to state, that Italians and foreigners, out of number, whom the pope and his predecessors had suffered to possess churches and benefices in England, gave no protection to their respective charges, but left them to wild wolves to be devoured;—that they did not keep any hospitality, or practice any almsgiving, but only took up the rents of their benefices, carrying them out of the realm, to the end that their brethren, their nephews and kinsfolk, might be thereby sustained;—that they received yearly out of England no less than sixty thousand marks per annum, besides other avails;—that if any benefice exceeded thirty marks, the pope's legate would continue to give the same away to Italians, whereby true patrons were despoiled and defrauded of their rights; &c., &c.

The petitioners then, in a bold and decisive manner, represented that "they neither could patiently suffer such oppressions, so detestable to God and man, and grievances intolerable, neither, by God's grace, would they suffer them, through the means of the pope's godly remedy, which they would hope and trust to speedily obtain."

This address had no other effect than in making the pope more cautious in the exercise of his supremacy, and the king a little more jealous of the royal prerogative.

Subsequently, Henry himself began to make encroachments, no less upon the privileges of the church, than upon the civil liberties of the people. After restraining the clergy from taking cognizance of civil matters belonging to the laity, except in matrimonial causes and last wills, he took upon himself the bestowing of benefices upon foreigners, and the retaining an unreasonable time in his hands bishoprics and abbey, with the sinister view of enjoying their revenues. The remonstrance of his subjects against these abuses, he treated with contempt.

Such was the general state of religion at the time when Thomas Greslet died. The English church was alike suffering from popery and monarchy.

It is, perhaps, possible to trace the existence, at this time, of usurpations of patronage in the historical allusion made, during the fifteenth century, to the by-gone sufferings of the church of Manchester, which, it was supposed, could only be remedied by a new ecclesiastical foundation. The petitioners piously remonstrated, that "the church of Manchester had a large, ample, and very populous parish, and that the rectors very seldom heeded to reside there,"—a result, which, in most instances, flowed from the custom of papal provisors. At the same time it is only fair to add, that there existed abuses in church nominations, perfectly independent of the unauthorised usurpation of the Roman see, or even of royalty, whence arose "the great danger arising to souls" of which the parishioners complained.

§ 8. THE DEANS RURAL EMPLOYED IN THE VALOR BENEFICIORUM OF 1254.

It is worthy of remark, that at the time when England was most under the dominion of the pontiff, namely, during the successive reigns of John and Henry the Third, the regime of the rural deaneries and archdeaconries was much encouraged, no less with the view of strengthening the papal dominion by enlisting special functionaries for its support, than of rendering the new rural deans, then created, instrumental towards the collection of papal dues, over which, in sequestered districts, the pope's legate might otherwise have had little means of control.

In the year 1253, Pope Innocent the Fourth granted, for three years, to Henry the Third, the tenths of all ecclesiastical benefices, or spiritualities. The impost was levied by the dean rural, assisted by three rectors, or vicars, of his chapter, who, upon oath, certified to the justness of the estimate of every church revenue within their knowledge, and returned the same "in scriptis," ratified with their respective seals, to their bishop, which gave occasion to the Norwich taxation, or Pope Innocent's valor.—[*Horæ Dec. Rur.*, vol. i, p. 415, and vol. ii, p. 92-7, &c.]

These decanal inquisitions, which began to be made subservient to the strictness with which papal and royal subsidies were enforced, gave to the rural deans an unpopularity from which they never recovered.

§ 9. THE CONDUCT OF THOMAS GRESLET DURING THE AGITATION OF CERTAIN CIVIL AND RELIGIOUS QUESTIONS.

Henry the Third, in consequence of his expensive wars in Gascony, and his proposed expedition with an English army to the Holy Land, in which he proved faithless to the Crusaders, was compelled

to seek an aid from parliament, which, in the outset, was resisted, when many forfeitures of lands ensued. It is to this cause that we must attribute the escheat which took place of the lands of Manchester and Horwich forest. The entry was as follows:—"38th Hen. III. Thomas Grelle, Manchestre, Horewych forest' terr Lancast'."

Subsequently, however, the parliament, with the greatest reluctance, was induced to grant the king a tenth of the ecclesiastical revenues and a scutage of three marks upon every knight's fee, on condition that he would publicly take a renewed and still more solemn oath of adhesion to the two great charters of John, from which, at the instigation of the pope, he had declared himself absolved.

After this occurrence we find Thomas Greslet in the repossession of his estates, although the escheat does not seem to have been formally rescinded. But this omission may be satisfactorily attributed to the religious and civil distractions of this eventful period.

In the events which followed, the king's unpopularity was, if possible, greater than ever. In, or about the year 1259, he allowed the pope to exact a subsidy from England of five thousand marks, while the honour of the nation was still farther compromised by the very inglorious peace concluded with Saint Louis.

From these and other causes, so low had Henry's authority sunk among the nobles of the land, that when he required his military tenants to take the field against the Welsh, who had revolted and overrun a great part of the Flemish province of Pembroke, little regard was paid to the royal mandate. As Thomas Greslet, however, had previously suffered for his opposition to the king, his zeal for the integrity of civil and ecclesiastical institutions had greatly cooled. In seeking, therefore, to reinstate himself in the royal favour, he was among the number of the barons who obeyed the summons to repair to Henry at Chester. For this compliance, he was, in the following year (A. D. 1260), constituted warden of the king's forests south of the Trent.

§ 10. ANNO 1261-2.—DEMISE OF THOMAS GRESLET.

The chief incidents in the life of Thomas Greslet have been related. There is no evidence that he took any interest in the barony of Manchester, independently of the gratification which the forest of Horewich afforded him for the sports of the field. In this respect, he was a worthy progenitor of Gaston de Foix, who, according to genealogists, could boast a descent from the original stock of the Greslets.

In the 46th of Henry the Third (1261-2), Thomas Greslet died,—seized of the manor of Manchester and its appurtenances. It would appear, that he held five and a half knights' fees in Manchester;—in other parts of the Honour of Lancaster six fees, and one-third part of a knight's fee, with one-twelfth part of another knight's fee, in chief from the lord the king.

Various infestments are recorded of him, as, for instance, in favour of Gilbert Barton, Matthew of Haverseg (in Withington), Robert de Lathom, Richard de Pierpund for the third part of a knight's fee in Rumhurst, William de Worthington, and Roger de Pilkington.

The marriage of Thomas Greslet is not recorded. His eldest son, Robert, must have died in the lifetime of his father, leaving behind him a son in tender years, also named Robert, who in a formal law plea is styled "*Robertus filius Roberti primogeniti Domini Thomæ Greleigh.*"—[Pl de Ass. apud Winthou, 52 Hen. III.]

§ 11. THE CHURCH OF MANCHESTER IS PLACED UNDER THE CARE, OR WARDENSHIP, OF PETER, SECOND SON OF THOMAS GRESLET.

The living of Manchester, independently of the dues derived from a large parish, had been enriched during the Saxon period with the gift of a carucate of land, besides a donation of glebe left for its support by the Greslet family. This church would, therefore, form an acceptable addition to the benefices enjoyed by papal favourites.

Accordingly, it was to obviate such a probable usurpation of the pope's emissary in England, that, immediately upon the death of Thomas Greslet, the church of Manchester was placed under the care, or wardenship, of the second son of the baron, during the minority of the grandson Robert Greslet, who was heir to the estates of the lordship.

This will be now explained.

It has been stated, that owing to the death of Thomas Greslet's oldest son during the lifetime of his father, he was succeeded in his estates and honours by a grandson, then of very tender years.

But the late baron had also left behind him a second son, who, there is little doubt, was in orders, to whom, according to Kuerden, he gave his manor of Manchester and Childwall, together with the chapels of Assheton, Hale, and Garston. "*Thomas Grelle dedit P. de Grelle, filio suo, manerium de Manchester et Childwalle, cum capellis de Assheton, Hale et Garstan, dictis ecclesiis pertinentibus.*" After the decease of Thomas Greslet in 1261, it may be suspected that there was some uncertainty whether Peter Greslet would

be permitted to retain, against the provisors of the pope, the advowsons of no fewer than four churches. An inquisition accordingly took place, when it was found that Thomas Greslet had held of the king in capite;—that he had not infeoffed his son, Peter, of the manor of Manchester;—and that, by reason of the minority of the heir, the custody thereof did appertain to the king until the full age of Robert Greslet, grandson and heir of the said Thomas.

After the claims of Peter Greslet to be admitted possessor of the churches and manor of Manchester had been disallowed, great anxiety seems to have been entertained, lest, during the minority of the grandson, the church of Manchester should be the subject of one of the pope's provisions, whereby the right of patronage would be arbitrarily suspended, in order to be bestowed upon some foreign ecclesiastic. In the spirit, therefore, of the clause of Magna Charta, which secured to patrons of livings the custody of them during vacancies, it was conceived politic that Peter Greslet, uncle of the patron, then a minor, should, as a protector, be formally declared "*Custos ecclesiæ de Maincestr.*" Accordingly, this title appears in the record of an assize plea, in Winchester, relative to a church in the county of Buckingham. "*Petrus de Greleigh custos ecclesie de Maincestr' cognovit quod vult et concedit pro se et heredibus et assignatis suis quod si vivente Domino Philippo Basset Robertus filius Roberti primogeniti Domini Thome Greleigh, qui quidem Robertus est heres ipsius Thome,*" &c.

CHAPTER VII.

EVENTS DURING THE BARONIAL SWAY OF ROBERT GRESLET, THE SEVENTH LORD OF THAT NAME.

Any attempt to describe the annals of the church of Manchester would be a most unsatisfactory task, without some digression,—a digression more apparent than real,—having for its object the explanation of such feudal innovations, or such municipal institutions as might have accompanied changes of an ecclesiastical character.

In a document bearing a date rather later than that to which our more immediate attention is directed, yet being a post mortem inquisition on the retrospective state of the barony, as it actually subsisted in the time of Robert Greslet the seventh lord thereof, certain important changes are indicated affecting the social relations of the district, which it may be important to investigate. The inquiry is suggested to us by the notice which the record takes of what are named "Bondage lands."

§ 1. THE BONDAGE LANDS OF GORTON, ARDWICK, AND CRUMPSALL.

These estates, named "Bondage lands," included within the manor of Manchester, were said to have conjointly yielded to the lord, quarterly, a sum of one hundred and forty-seven shillings.

In the existence of possessions under the name of "bondage lands," we are furnished with an additional proof, that the increase of villeins upon an estate had threatened to so far outrun the means of subsistence, that, in order to stimulate to a greater degree of effective zeal the servile tillers of the land, under whose indifference, or apathy, the productiveness of the soil was languishing, encouragement was given them, by new boons of manumission, to look for an advancement of their hitherto degraded position in the social scale of the country. This was accomplished by the lord encouraging, to a limited degree, an expansion of their industry, directed to the exclusive benefit of themselves and their respective families, otherwise doomed, by laws of neifty, to be slaves. Without removing them from his lands, he rendered them possessors, to a certain extent, of the fruits of their respective labours, or ingenuity.

The mode by which this was accomplished may be now explained.

It must be kept in view, that the villein could not, like a freeman, possess property, or, at least, could not alienate the same without the consent of his lord. It was for this reason, that if, upon the demise of a villein, the lord accepted of a relief, instead of insisting upon the whole of the effects which the deceased might have left behind him, the acceptance of such an acknowledgment involved in it the admission, that the reputed villein possessed property over which the lord of the estate had no control,—an incident perfectly incompatible with the condition of pure villeinage. As a consequence, therefore, the natural descendants of the villein had the legal right to claim, that their parent was not of the condition of a villein, and that hence, by the laws of neifty, they were entitled to their emancipation. And again, if a lord merely entered into a contract with his villein regarding tenure, the conclusion was equally legitimate that the lord had thereby acknowledged that he did not possess an absolute control over the whole of his villein's effects, which under a state of pure villeinage he would have had, and, hence, that the reputed villein was not a villein, but legally free.

According to the principles laid down, the simple declaration by a lord to his villein that a relief would be required from his effects after his death, or the insertion of his name upon the rentroll of a manorial court, or court baron, by which would

be implied an actual contract of the lord with his villein for conditions of tenure, amounted to an emancipation, agreeably to the merciful law of William the First, which declared, that if the lord merely permitted his villein to appear as if he were free, he lost over him every legal right, and the slave acquired his absolute freedom.

In the vicinity of Manchester, as at Gorton, Ardwick, and Crumpsall, such lands as were characterised by the emancipation of the villeins labouring upon them,—became distinguished by the name of bondage lands,—an expression, as is generally supposed, of the bonds, or restrictions which such lands imposed upon tenants. But this is, perhaps, too forced or inadequate a meaning. "Bonda," in the Anglo-Saxon language, signifies "a husbandman," and "bondi," in the Danish, "colonus," or "ruricola."—[See Bosworth's A. S. Dict., and the Northern Lexicon of Rask.] Now, although the name might have originally implied a tributary, or dependant, and the phrase "bonde-land," or bondage land, "terra tributaria," yet it is very doubtful if this was the full meaning of the term so late as the thirteenth century. "Bondage lands," or "bonde-lands," would be characterised by their being surrendered to the tenancy of Saxon bonds, or husbandmen, who, by dint of emancipation, had risen from the base condition of villeinage.

Such was the nature of bondage tenure near Manchester, which in other parts of England was named "base tenure," in scornful allusion to the base or low origin of "tenants in villeinage," as Fitzherbert invidiously names such as had become entitled to all the privileges of free, or law worthy subjects. Tenants in villeinage were also named "tenants-at-will;" that is, they held their lands at the mere will of the lord, by whom also they were removable at pleasure.

A "base tenure" implied that the services were base, that is, befitting husbandmen, to the exclusion of all such services of the "tented field" as were then deemed honourable. The nature of these base services finds an illustration in the manor of Assheton-under-line,—an ancient infestment of the lordship of Manchester. The tenants at will were bound to yield to the lord an annual fixed rent;—to give a present at Yule, or Christmas;—to plough, harrow, and shear for the lord a certain number of days;—to cart his turf or fuel;—and to pay at their demise a relief, or "principal," consisting of the best beast of which they might severally die possessed.

In this point of view, the bondage tenure of Lancashire contrasts with drengage, or thanage tenure, equally of Anglo-Saxon origin. For in-

stance, Gilbert de Notton held by right of his wife thirteen bovates from the king in THANAGE for twenty-six shillings.—Robert Gerneth held from Robert de Clifton by DRENGAGE tenure,—meaning a subinfeudation.—[See page 44.] And, in the present instance, BONDAGE tenure implied the distribution of minute portions of land among a still lower rank of landed tributaries, approaching, perhaps, to the "bordars" of the Dom-Boc, and known in Anglo-Saxon, or Danish times, under the name of bondes, or husbandmen. As an exemplification of this last kind of tenure may be particularly cited the manor of Assheton-under-line, the customs of which in the fifteenth century have fortunately met with record.—[Account of the manor of Assheton-under-line, by S. Hibbert, M.D., F.R.S.E., &c.]

§ 2. THE TOWN OF MANCHESTER CHARACTERISED AS A BOROUGH.

Owing to the inconveniences sustained from the state of villeinage, municipal charters continued to increase, in which were various salutary provisions tending to mitigate such hardships.

Regarding this state, a brief recapitulation of what has been explained may be now expedient.

The villein was not law-worthy; he could not purchase a burgage, nor could he trade, for this reason, that he was supposed not to possess any property which was not that of the lord to whose estate he was attached. He could not, in a borough town, bear his share of scot and lot; and if, in the endeavour to escape from these civil disabilities, he sought to enter the church, he was stopped, in limine, by being refused ordination.

This is a summary of what was the political state of the villein. But ever since the coming in of the Normans, a succession of attempts had been made to give the villein an opportunity to free himself from thralldom, of which the most effectual was the law which conceded to him his freedom provided he remained a year and a day in a borough town. Accordingly, with the increase of borough towns, the opportunity of escaping from feudal thralldom had proportionally increased. This invitation to villeins to seek in the protection of crowded towns an asylum from slavery, was greatly promoted by the charters which were granted. Thus, for instance, it is expressed in the Nottingham charter, that if any one, from what place soever he might be, should dwell in the borough one year and one day in time of peace and without claim, no person afterwards but the king could have right over him.

Of the civil state of Manchester during this disturbed period, we know little more, except that

it was described as "a borough town," by which was merely meant, that it was a town the peace of which was secured by the inhabitants being enrolled in frank pledge. There were no chartered privileges conferred, which sanctioned the possession and transmission of heritable burgages, or which allowed the burgesses to annually elect a reeve, or prefect, from among themselves, or which conferred any other valuable municipal boon. In this sense Manchester was not a free borough. Its title even to the appellation of a borough town was at a subsequent period of the present history disputed.

It may not be easy to assign a reason why Manchester was denied the liberties which had been conceded by an enlightened statesman and warrior, Ranulf de Blundeville, to the sister town of Salford. At the same time, many curious illustrations might be given of the repugnance felt by lords of high degree towards such privileged boroughs, as, by the influence of the crown, were every where springing up. For instance, after emancipation had been extended to every villein, who, by mingling with the crowded population of borough towns had been enabled to dwell unchallenged a year and a day, numerous individuals of this despised class had not only been enabled to become free from villeins' caste, or condition, but, like native freeholders, to even find favour with females of gentle lineage, notwithstanding the degradation of birth. This presumption was so revolting to their feudal oppressors, that free boroughs were not only held up to the finger of derision as so many "villein warrens," but in the case of wards belonging to ranks of higher degree, marriages with "villeins or others, as burgesses," were absolutely forbidden. Hence the statute of Merton, passed in 1235 (soon after the charter of Salford was granted), in which it was held out, in terrorem, that "lords who married those whom they might have in ward to villeins or others, as burgesses, should after such a disparagement lose their wardship." This was no slight threat, considering how profitable wardships were regarded.

§ 3. THE DISTURBED STATE OF LANCASHIRE DURING THE STRUGGLE FOR THE REPRESENTATIVE SYSTEM.

During the minority of Robert Greslet, grandson of the late baron, the county of Lancaster partook, perhaps more than any other part of the kingdom, in the disturbances which were affecting the constitution both of church and state.

The greatest amount of discontent was created by the pope releasing the monarch from the obligation of the oath which he had been compelled to swear at Oxford in favour of the liberty of the

subject;—which oath had been declared null and void by Louis, King of France, a chosen umpire in the dispute, who, however, was disposed to admit the validity of the Magna Charta of John. But this concession to the rebellious barons still remained unsatisfied, and a sanguinary war ensued, during which the king was taken prisoner by the nobles, and obliged to ratify the convention so odious to royalty, whereby the representative system was secured to us which England still enjoys.

Subsequently, Simon de Montfort, Earl of Leicester, who headed the insurgents, fell at the battle of Evesham. After a futile attempt of the younger Simon de Montfort to continue the contest, it ended in the discomfiture of the barons and the confiscation of their estates.

Among the nobles who had given the greatest support to the Earl of Leicester, was Robert, son of William de Ferrars, who, in the 38th of Henry the Third (1253-4), had succeeded to all the estates which his father possessed between the Ribble and the Mersey, among which were included the town and wapentake of Salford. When Robert was marching towards Chester with an army of twenty thousand men, consisting of horse and foot, he was met by the king's forces and defeated. He was subsequently detained in prison three years.

An opportunity was afterwards offered to Robert de Ferrars for the release of his estates by a heavy fine, upon the failure of which, all the lands which he possessed in Lancashire, along with other vast possessions in different parts of the kingdom, were given, in this amplified state, to Edmund Crouchback, the second son of Henry the Third, with the title of Earl of Lancaster, and, in addition, that of Derby. A foundation was thus laid for the surpassing power and splendour of THE HOUSE OF LANCASTER.

It would appear that, after Edmund Crouchback had been raised to the earldom of Lancaster, he was appointed guardian to Robert Greslet, baron of Manchester.

§ 4. ROBERT GRESLET ARRIVES AT FULL AGE AND MARRIES.

In the year when King Henry the Third died, and Edward the First succeeded to the throne (A.D. 1273), Robert Greslet came of age, when he performed homage. From the first to the fourth years of Edward the First, he was summoned to parliament. In the 8th of Edward the First, he married Hawise, daughter and co-heir of John de Burgh, whose progenitor was Hubert de Burgh, Earl of Kent, with whom he received lands in Northamptonshire, Somersetshire, and Sussex.

§ 5. THE GREAT ASCENDANCY WHICH THE MONASTIC ORDERS ACQUIRED IN THE NEIGHBOURHOOD OF MANCHESTER.

It was towards the close of the reign of Henry the Third that deans rural found that their influence within the circles of parishes committed to their jurisdiction had attained the greatest degree of weight of which it was susceptible. This is to be traced in the edicts which declared that ecclesiastical persons were perfectly exempted from the civil power, whence it followed that every attempt to punish the enormities and abuses of spiritual courts must be ineffectual. Of these acts is that of the 45th of Henry the Third (1260-1), which occurs in the constitutions of Boniface, Archbishop of Canterbury, wherein the strongest injunctions are given to the archbishops and all the clergy, that they do not allow themselves to be drawn under secular judgment. At the same time, the several ecclesiastical punishments of excommunication and interdict are threatened against all such, whether sheriffs or bailiffs, as ventured to summon or arrest the clergy,—from which threat not even the king was excepted.

And, in a statute of the 51st of Henry the Third (1266-7), entitled the statute of Marlborough, it was enacted, that in imitation of the privilege granted to earls and barons, all ecclesiastical persons whatever, including archbishops, bishops, abbots, priors, and religious men and women, should be exempted from attendance at the sheriff's tourn and court leet, unless their appearance was specially required.

To edicts like these we may attribute much of the degeneracy of ecclesiastics which prevailed. This would be first shewn in the morals of the lower clergy, who would scoff at the corrective tribunals of civil authorities. In course of time, the rural deans, who were themselves selected from the class of parochial priests, became tainted with the prevailing dissoluteness, whence the inefficiency of their tutelar functions and the reluctance to bring offenders to the judgment of courts Christian, whether decanal or episcopal. Bishop Grosseteste had been the first to complain of deans rural and bedels not being sufficiently watchful to prevent drinking bouts, named scot-ales, as well as ale-shots, forbidden sports, incontinencies, and other excesses.

In fact, from this time we hear less of deans rural being considered as the guardians of the morals of the laity, or as the enforcers of clerical discipline within each decad of parishes intrusted to them, than of their lending themselves to the purposes of ecclesiastical, and even of royal exactions, for which their local knowledge of benefices had re-

commended them as convenient tools. Although it had been declared that the church was to be free, and to have all her own rights and privileges inviolable, and that no one of the church was to be amerced after the quality of his spiritual benefice, but after his lay tenement, we still read of rural deans being employed as public tax gatherers,—as, for instance, in 1270, when the Bishop of Lincoln raised an immense sum for the king's use in Normandy to suppress rebellion.

From this period also, the secular clergy began to give way as ecclesiastical disciplinarians to licensed preachers of the friars, particularly of the Dominican or Mendicant orders, who, by Bishop Grosseteste, had been ordered to teach not only in churches, but even in the public streets, to the superseding of parish priests, who, in Edward the First's time, were generally described as ignorant and stupid. These friars were even, it is said, ordained as chorepiscopi, or suffragans.

During this melancholy state of parochial discipline, it will not be surprising to hear of the unconcern with which the successive rectors of the church of Saint Mary in Manchester were regarded, who, in the fifteenth century, had acquired an unenviable notoriety, as heedless of the cure of souls, which they had sacrificed to the acquisition of church temporalities.

This picture, so little flattering to the ecclesiastical regimen of Manchester, was not lost upon Robert Greslet, the baron, who restricted his bequests to the monastery of Stanlaw, or endowed no church save such as might be attached to this religious community. A similar motive had also actuated John de Lacy, Earl of Lincoln, who had purchased from the Barton family, and others, the living of the church of Eccles, the advowson of which, with lands at the grange of Mawnton Green, he had presented to the monks of Stanlaw. We also find that the abbot of Stanlaw held two carucates of land, or more, at Cadewellesheved, in the deanery of Manchester, upon an easy tenure, with which he had been piously favoured, so as to avoid the penalty of the law of mortmain.

The bequests recorded of Robert Greslet to the monastery of Stanlaw were two in number:

First, in imitation of the Lacies, Earls of Lincoln, who were the chief patrons of the monks of Stanlaw, aided by the influence of Robert Hamelle, abbot of the community, Robert Greslet gave to the monastery lands at Westwood, in the township of Barton, subject, however, to the legislative prohibition, that no lands be alienated to such an extent as that there should not be left sufficient to the lord of the fee for his service. Accordingly, the abbot, in being infeft with the lands,

was to perform the usual services appurtenant thereto, namely, to find wood for the use of the lord and his heirs, and, upon the death or removal of the abbot, relief, as if Robert Byram, the tenant, had held the same.

And, in the second place, the baron of Manchester gave lands to the church of Dene, which was a vicarage belonging to the same abbey of Stanlawe, situated in the neighbourhood of Horewich, as well as of the free warrens of the Lacies, earls of Lincoln, and the Ferrars, earls of Derby, which severally bordered upon each other. For the accommodation, therefore, of these three great chieftains of Lancashire, when they visited their respective hunting grounds, the abbey of Stanlawe had promoted the endowment of a church at Dene, the Saxon name of which expresses the character of the site, which was in a valley of the township of Rumworth. Through this romantic dell, or dene, the stream of the Croal flowed in a direction towards Bolton, while it was watered on the south-east by the Irwell. The church, dedicated to Saint Mary, was erected in a gentle declivity commanding the valley, or dene, whence its name of Saint Mary's Dene.

The gift of Robert Greslet is commemorated by Hollinworth, after the following manner:—"He gave to God and the blessed virgin, to the abbot of Whalley [the site to which the abbey was subsequently removed], and to the chapel of Saint Mary's Dene, now called Dene Church, all that land lying near to the said church."

We also find that Thomas de Pierpoint, whose family had been anciently enfeoffed by the Greslets with possessions in this neighbourhood, gave all his lands adjoining the chapel of Dene, and its cemetery, to the abbey of Stanlawe, and that Robert de Greslet confirmed the same.—[Baines's Lancashire, vol. iii, p. 23, where the records are cited.]

It may be remarked, that the bequests made to monasteries at this time were subject to the injunction of a national council held in 1268, that there should be no alienation of parochial tithes towards their support. How far the Lancashire donors had been enabled to preserve parochial tithes from being diverted from their proper channel, we are not informed.

From the various donations made to the monastery of Stanlawe at Barton, Eccles, Cadishead, or Dene, independently of the great reverence paid to the small religious community at Kersall, it is evident that the monks located in the neighbourhood of Manchester maintained a far greater ascendancy over the minds of the laity, than the secular clergy were enabled to accomplish.

§ 6. DEMISE OF ROBERT GRESLET.

On the 15th of February, in the 10th of Edward the First (1281-2), some say the 12th (1283-4), Robert Greslet died in his homage, of course very young, otherwise he would have received the investiture which remained. He left a son and heir, Thomas, who, at his father's death, was not more than three years of age.

Soon after Robert Greslet died, it was found that he was seized of Withrington villa, Pilkington, Worthington, Coppull, Childwall et ecclesia, Mancester et ecclesia, et Aston ecclesia pertinen' ad Mancester maner',—also lands in Rutland, Norfolk, and other counties.

CHAPTER VIII.

EVENTS DURING THE BARONIAL SWAY OF THOMAS GRESLET, THE EIGHTH LORD OF MANCHESTER.

As Thomas Greslet was not more than three years of age when his father died, the custody of the barony of Manchester was given during his minority to Amadeus de Savoy. This custody has been designated by a lawyer, perhaps not without reason, as a lucrative tyranny bequeathed by Norman conquerors, which gave to a guardian in chivalry the custody of every military tenant's estate, until he should arrive at twenty-one, without accounting for the profits.

The civil events which occurred during the minority of Thomas Greslet enter deeply into the history of Manchester, and, as such, may require particular notice.

During the reign of Edward the First, unprecedented acquisitions for men were demanded. The sheriff of Lancaster was ordered to distrain on all persons, not knights, seized of lands of twenty pounds a year, however held, and to require that their respective patents of knighthood be forthwith taken out. In the 10th of Edward the First (1281-2), persons holding lands of the value of thirty pounds per annum, were to be provided with arms against the Welsh, and, in the mean time, a thousand men were ordered to be impressed within the county. John de Kirkeby (there was a Bishop of Ely of that name, probably of the Lancashire family) was likewise empowered to explain the king's necessities to the people of Lancashire.—[Baines's Lancashire, vol. i, p. 264-5.] At the same time, the king demanded a loan from religious houses, and from all the merchants in the kingdom.

Much inconvenience, however, was sustained by the tenures of knights' service being limited to forty

days, beyond which time possessors of fiefs could be retained by their own consent only, or, otherwise, at the expense of the king. In continental campaigns the short duration of this service often rendered the force thus acquired nearly useless, and even when the possessors of knights' fees formed the battle line of heavy armed cavalry, it was found necessary, for the permanent efficiency of the army, to obtain recruits of foot soldiers, not absolutely limited to forty days' service, who should be well skilled in the bow, for the supply of whom a dependance was still placed upon the capability, or inexhaustibility, of feudal tenures.

In connexion with this less restricted term of service, a more comprehensive mode of obtaining recruits was deemed necessary. In the 13th of Edward the First was passed the statute of Winchester, by which every man between fifteen and sixty was to be assessed and sworn to keep armour according to the value of his lands and goods. For fifteen pounds and upwards in rent, or forty marks in goods, a hauberk, an iron breast plate, a sword, a knife, and a horse, were required.—Persons possessed of forty shillings in land and more, up to a hundred shillings, were to provide themselves with a sword, a bow, arrows, and culter, and all resiants were to have arms and armour in their houses, according to the quality of their lands and goods.

During the reign of Edward the First, the attention of the crown was directed to the natural tendency of subinfeudments, which was to increase the power of a mesne lord to whom military service was due, and to add to his independence, while it proportionally lessened the authority of the liege sovereign, who could only enforce his command through the medium of a secondary, or even a tertiary chief in subordination. For instance, the inconvenience arising from a complicated subinfeudment of this kind was exemplified soon after the demise of the late baron of Manchester, in a quo warranto, wherein, after stating that Robert de Grelley, who died in his homage, held the manor of Burnhill in chief of the king, it is added, that Peter de Burnhill held the same of Robert de Grelley by the service of half a knight's fee, but that, in point of fact, he did not hold it by military service, since he paid a fee firm of fifteen shillings in lieu of all service. In this case it is evident, that the military strength of the king, as lord paramount, had suffered by such a subinfeudment, and, to add to the evil, it was complicated with a commutation of service.

The inconveniences arising from subinfeudments, and their remedy, have been explained by Blackstone after the following manner:—In imitation of the king's greater barons, who, having a large extent

of territory held under the crown, (the seignory being often termed an honour,) had granted out smaller manors to inferior persons to be held of them,—inferior lords, in their turn, began to carve out and grant to others still more minute estates to be held of themselves. In this manner the mesne lords were proceeding ad infinitum, until the superior lords perceived that by this method of subinfeudation, they were losing their feudal escheats, which, in every instance, fell into the hands of any mesne or middle lord who might happen to be the immediate superior of him who actually held the land.

With a view of putting a stop to these subinfeudments, the statute of Westminster, or quia emptores, was enacted in the 18th of Edward the First, which directed that a feoffee should hold land not of his immediate feoffer, but of the chief lord of the fee, of whom the feoffer himself might have held the land, and that, for the future, no subject should create any new tenants to hold of himself. From this date, therefore, no new manor could be created.—[Blackstone, B. II., c. 6.]

§ 1. THE SURVEYS OF THE BARONY WHICH WERE TAKEN DURING THE MINORITY OF THOMAS GRESLET.

In the course of Thomas Greslet's minority two principal surveys are recorded of the barony of Manchester, the first of which is alluded to by Hollinworth, who gives to it the date of 1282. It is of the 10th of Edward the First, being a local inquisition, ad quod damnum, of the manor of Manchester, which was made on the oaths of John de Biron and Geoffrey de Bracebrigge, knights, Jeffrey de Chathyrton, David de Hulton, Alexander de Pilkington, Thomas de Eston, Robert de Sorisworth, Richard de Radclive, Robert Unton, Adam de Cunclive, and Adam, son of John de Lever. The completest survey, however, has the date affixed to it of the 20th of Edward the First (1291-2), of which a brief, yet very interesting abstract has been given by the present Sir Edward Mosley, Bart., in his concise history of the manor, or seignory, of Manchester, published in Corry's Lancashire, vol. ii, p. 448.

From these various documents, we have a glimpse of the civil, as well as of the ecclesiastical state of the barony, during the long interval of Thomas Greslet's minority. While some notice may, therefore, be taken of the general result of the surveys, the attention will be more especially called to such details, as impart information concerning the social changes occurring in the town and vicinity.

The return to the writ of inquisition of the 20th of Edward the First, in confining itself to

Manchester, states that the manor of Manchester, Heton, and Barton, were held of Edmund, Earl of Lancaster, by service of doing suit to the earls of Lancaster and to the wapentake of Salford; the late baron (Robert Greslet) holding nothing of the king in chief in the aforesaid manors. It likewise gives various details of the subordinate manors, forests, mills, markets, fairs, bondage lands, tolls, burgages, law courts, customs, &c. &c., most of which have little or no interest in this history. It would appear, that the whole annual sum derived from the manor of Manchester amounted to £84 12s. 6½d., and from members of the same, such as Heton Norreys, Barton, Kuerdeley, and the forest of Horwich [printed Hepworth], £46 15s. 1¾d. In addition, while Adam de Lever paid as an acknowledgment one barbed arrow at the feast of Saint Michael, Thomas de Eston rendered, at the same date, one goshawk.

But the infeudation of Assheton-under-line is better explained in a prior return of the date of the 12th of Edward the First. The immediate tenant who held the manor of Eston by a yearly rent of twenty-two shillings, or, in lieu thereof, a goshawk, was a Kirkeby. But by virtue of a fine, Thomas de Eston was allowed to hold the same, as a subinfeudation of the manor of Manchester, paying the rent of twenty-two shillings.

Among the lands contained within the manor of Manchester, it is stated that the bondage land of Gorton paid sixty-four shillings quarterly; the bondage land of Atherswyke [now Ardwick] forty-three shillings; and the bondage land in Crumpsall forty shillings. The nature of bondage lands has been already explained.—[See page 61.]

The lands of Crumpsall were not only distinguished as bondage lands, but as "assarted lands;"—the term "assarted" indicating forest lands which had been destroyed by the trees being plucked up by the roots,—perhaps incidental to emancipated villeins being introduced upon the estate, and admitted as tenants, by whom the soil was cultivated as "bondage land."

In this return, Manchester is not termed a free borough,—but, simply, a borough.

By the term "borough," nothing more was meant than a pledged group of "portmen," or townsmen, forming among themselves a system of police, whereby every man was bound in his decenna to those who were commorant near him as pledges, each being pledge for the other, so that if an individual should commit a crime, the nine associated with him would be amenable that the offender be brought to justice.

In Manchester mention is made of a court baron of the manor (*curia baronii manerii*), which has been

fully described, the pleas and perquisites of which yielded to the lord one hundred shillings yearly. But there was also another court of the borough of Manchester (*curia burgi de Manchester*), the annual perquisites of which were very inferior to those of the superior court, as they amounted to no more than eight shillings. This is probably the court which is described in documents hereafter to be explained, under the name of the laghemote. It was the court where the portmen took the oath of allegiance to the king, and were enrolled with their pledges, that they might be forthcoming at all times to do right and justice and to abide by the law, whence they became the *liberi et legales homines* of the town which they inhabited.

We also read of various rents accruing, as from "sakfee," meaning, perhaps, the fee for arbitrating in disputes, from "the farm of wards," and "from the farm of five foot bailiffs for having their bailiffs by the year."

Within the town of Manchester there was a water mill worth annually £17 6s. 8d., which entry shews that the profits of the mill, assigned in the twelfth century to the monks of Swineshead, in Lincolnshire, had ceased to be paid.

The lord also derived emoluments from a fulling mill, an oven, the toll of markets and fairs, from "the rent of assize of burgages," and from cottagers near the town.

A rent of £7 9s. 8d. is stated to have accrued from free tenants and from "foreign tenants" of Manchester. But it is well understood that, at this period, the term "foreigner" did not imply an alien merely, but any one residing out of the bounds, or liberties of a city, or borough.

§ 2. DURING THE MINORITY OF THOMAS GRESLET, THE RIGHTS OF PATRONAGE IN THE CHURCH OF MANCHESTER ARE USURPED IN FAVOUR OF WILLIAM DE MARCHIA.

During the minority of the last baron, there can be little or no doubt that Peter Greslet, his uncle, had been appointed "*custos ecclesiæ de Maincestr*," with the view of preserving the patronage from being invaded by a provisor in the person of some creature of the pope.—[See page 60.] Thomas Greslet, however, the present baron and minor, was not so fortunate as to have had a special guardian appointed to preserve the patronage of his church of Manchester, until he should have arrived at his full age.

Under an invasion of patronage, most probably by the Roman see, the church of Manchester unquestionably suffered at this time, as is evident from a subsequent allegation made by the baron upon

the occasion of an inquisition held on the question of patronage. Thomas Greslet, then no longer a minor, stated, "that the church of Ashton was dependent on the church of Manchester; that Robert Grelle, his father, was patron of the churches of Manchester and Ashton, and that he was within age at the time of the said Robert, his father, and that William de Marchia of his own act and deed had usurped it while he was within age."—[Placita T. Pasche, 32 Edw. I. Rot 71.]

In another document it is registered, that William de Marchia was parson of the church of Manchester, to which the chapel of Ashton was annexed. The living was then valued at two hundred marks annually.

§ 3. SURVEY OF THE ECCLESIASTICAL BENEFICES COMPRISED WITHIN THE DEANERY OF MANCHESTER AND BLACKBURN.—A.D. 1288-92.

About this time, according to Whittaker, there was a Johannes Decanus de Manchester. The authority for this assertion is not, however, furnished.

To the deans rural of England was intrusted the publication of church canons, of the decrees of provincial and diocesan councils, or of papal letters, along with the charge of explaining them to the people at large.

With the view of assisting Edward the First in the expedition which the monarch proposed to undertake to the Holy Land, Pope Nicholas the Fourth granted him for six years the first fruits and tenths of all ecclesiastical benefices, or spiritualities, in England. Accordingly, by the king's precept, a taxation was begun, and in the province of Canterbury was completed in the year 1291. That of York was finished in 1292.

The valor, as made out by rural functionaries, constituted the "verus valor," by which all the taxes due to the king, as well as to the papal see, were subsequently regulated. That of the "decanatus de Maintecestre, et Blackburn," comprised within the archdeaconry of Chester, was as follows:

	Coventr' Taxatio.			Sp. Decima.		
	£	s.	d.	£	s.	d.
Ecclesia de Maincestr'.....	53	6	8	5	6	8
Ecclis p' t' &c.....	20	0	0	2	0	0
Prior de Lancast' pcip' in eadm..	2	13	4	0	5	4
Ecclesia de Prestwyke.....	18	13	4	1	17	4
Burey.....	13	6	8	1	6	8
Middelton.....	13	6	8	1	6	8
Rakedale.....	23	6	8	2	6	8
Aston.....	10	0	0	1	0	0
Flyxton.....	4	13	4	0	9	4
Blakeburn cu capell'..	33	6	8	3	6	8
Walley cu' capell'.....	66	13	4	0	13	4
Sm.....	£259	6	8			
Inde decima..	25	18	8			

§ 4. WALTER DE LANGTON, RECTOR OF THE CHURCH OF MANCHESTER, TO WHICH THE CHAPEL OF ASSHETON WAS ANNEXED.

On the 30th of January, 1292, William de Marchia, rector of Manchester, was made bishop of Bath and Wells. He was a favourite of Edward, and treasurer of England.

While the rectory of Manchester was then recorded to have been worth annually two hundred marks, that of Assheton was valued at fifteen marks.

The successor of William de Marchia was WALTER DE LANGTON, said to have been born at West Langton, in Leicestershire. According to Shaw, in his history of Staffordshire, he was nephew of William Langton, dean of York, canon of Lichfield, dean of the free chapel at Bruges, and pope's chaplain. This last appointment rather induces us to suspect, that the nephew was introduced to the rectory of Manchester as one of the pope's provisors.

A branch of this illustrious family, which, among other dignitaries conspicuous in English annals, has produced a cardinal and a lord chancellor, was settled about this period near Winwick, in Lancashire. A brother of the chancellor, Sir John de Langton, had married Alicia, the heiress of Banastre, by whom he held from the crown the lordships of Newton and Walton-le-Dale.

It is very doubtful if Walter de Langton, rector of Manchester, was ever resident. He is reported to have been keeper of the king's wardrobe.—[See the genealogy of the Langtons in Baines's Lancashire, vol. iv, p. 834-6.]

§ 5. THE EMBARRASMENTS SUSTAINED IN LANCASHIRE BY THE DEMAND FOR MEN IN THE WARS.

About this time the greatest exertions were made in all the counties, particularly in the northern ones, to array horse and foot for the king's service, preparatory to an expedition into Wales. Revived injunctions were given that orders of knighthood should be taken out, and all lands above one hundred pounds a-year were threatened, upon noncompliance, with distraint. In the year following, preparatory to an expedition into Gascony, all knights, abbots, and priors holding by military tenure, or sergeanty, were required to meet the king at Portsmouth, while the knights and freeholders in Lancashire were ordered to provide for the war their respective tenths.

Hitherto it was customary to obtain the military services of the younger sons, or more distant relatives of old families, upon the condition of granting them for the term of their lives small portions of lands and tenements, often renewable by a relief.

But in the course of time this plan was found to so greatly exhaust the issues, or profits, of a seignory, that a less expensive mode was resorted to for obtaining soldiers. This was by procuring them from the hardy husbandmen of bondage lands, or even from the class of villeins. They were emancipated for the purpose of transmuting them into foot soldiers and archers. For this purpose nothing more was required, as I have already explained, than granting to the villein a small portion of land subject to a relief upon his demise, when, according to the doctrine of the lawyers of that time, the lord who had hitherto, by the law of manupast, become a pledge for his villein, and was bound to produce him when required by justice, had, by the acceptance of this relief, transferred the obligation upon the folc mote, hundred, and leet, who were required to bind the villein, thus emancipated from a state of unqualified servitude, by pledges. He was, then, by the laws of the realm, qualified for the performance of any public functions, as of keeping watch and ward, or of service in the wars.

§ 6. HUGH OF MANCHESTER.

"About 1294," says Hollinworth, "lived Hugo de Mancestria, a Dominican friar, provincial of the preachers in England, embassadour to Philip, King of the Franks, deane to Edward the First and Eleanor."

There is, however, great reason for supposing, that the birth-place of this divine has been mistaken. Hugo was a name through several generations of the family of Manchester, of Manchester, in the county of Warwick.—[Gregson's Lancashire, App., p. 237.]

As the biography of Hugo de Mancestre has no connexion whatever with this history, even on the supposition that he was a Lancashire man, it is sufficient to remark, that having entered into the confidence of Edward the First and Eleanor his queen, he accompanied Edmund, Earl of Lancaster, to Paris, with the view of recovering back the lands in Guienne and Aquitaine, which Philip of France, by a shameful breach of treaty, had kept back.—[For numerous particulars of Hugh of Manchester, see Baines's Lancashire, vol. ii, p. 193, and vol. iv, p. 826.]

§ 7. THE HIGHER HONOURS OF CHURCH AND STATE ARE HEAPED UPON WALTER DE LANGTON.

It is difficult to say if Walter de Langton continued to hold the rectory of Manchester at this precise period. In 1295, he was lord high treasurer of England, and, about the same time, there took place his election to the bishopric of Lich-

field.—[Baines's genealogical account of the family in his Lancashire, vol. iv, p. 834-6.]

§ 8. THE MONASTERY OF STANLAWE REMOVED TO WHALLEY.

In 1296, the monastery of Stanlawe, which had been greatly endowed with lands from the barony of Manchester, as well as from other neighbouring manors, was removed to Whalley.

§ 9. A.D. 1299.—THE INSTITUTIONS OF RECTORS OF MANCHESTER FIND A PLACE IN THE CARTULARIES OF THE BISHOP OF COVENTRY AND LICHFIELD.

Previous to the last year of the thirteenth century (A.D. 1299), the annals of institutions to the rectory of Manchester are much broken. If, therefore, they now become less uncertain and perplexed, I am indebted for the favourable change to a most valuable communication sent me by Dr. Ormerod, the historian of Cheshire, to whom I would take the earliest opportunity of returning for it my most sincere and best thanks. The communication, to which frequent reference will be made in the course of the present history, is headed as follows:—

"Notices of institutions of rectors and wardens of Manchester, selected from a calendar of presentations to Cheshire benefices, preserved in Harl. MSS. 2071 (p. 175 original paging, and 155 present paging), and headed 'Ex cartulariis Episcopi Coventriensis et Lichfeldensis in custodia Magistri... Archibald de Lichfield Generosi, Iu: 1649.'"

"This calendar," adds Dr. Ormerod, "appears to be copied by one of the R. Holmes from the extracts made (under Dugdale's recommendation) from the Lichfield register by Vernon of Shakerley, when they were in private custody during the civil war, of which an account is given in extracts from Dugdale's letters in the introduction to the history of Cheshire."

The notices selected from this most important document, will appear in the course of the present history. Dr. Ormerod states, that "they are copied verbatim, but not literatim, as Holmes's contractions are obscure and irregular, and it appeared better to write the words at length."

§ 10. OTTO DE GRANDISON IS INSTITUTED RECTOR OF MANCHESTER.—A.D. 1299.

In the notices of institutions contained in the Harleian MSS., as explained in the last section, Otto de Grandison is mentioned as follows:—

p. 155.

Dominus Walterus Langton Registrum fol. 8.

1299. 27 Edw. I. Mancester Otto de Grandison p...

Johannis Griffin de Grandisone. Patr. Rex.

It would not be easy to divine the reason why the king, instead of the baron of Manchester, is, on this occasion, named the patron. A lapse of time in presentation is the most natural cause to be looked for, in connexion with the favour under which the family of Grandison were regarded by the crown. A regulation had subsisted, which, in a later period, gave occasion to an act, that if a patron did not present to a benefice within the half year after a voidance had occurred, and if the bishop of the district did not present to the same, —in this case, upon the expiration of a month after the half year had elapsed, the presentment and collation would devolve upon the king.

Of the family of Otto de Grandison, I have collected the following notices:—

Otto de Grandisone, uncle of the rector of Manchester, in the time of Henry the Third attended Prince Edward to the Holy Land, and in the succeeding reign of Edward the First was governor of Guernsey and Jersey, being also summoned to parliament. He had a brother William, described as “menial servant to Edmund, Earl of Lancaster,” who obtained for his faithful services to him the manors of Radley and Munsterwath, in the county of Gloucester. He was often in the wars against France and Scotland, and was summoned to parliament. William de Grandisone appears to have had three sons, Peter, John, and Otto;—the younger being the rector of Manchester.

Peter, the oldest son, was an adherent of Thomas, Earl of Lancaster, executed for rebellion, and was fain to purchase his pardon at a dear rate. Afterwards he was in the wars with France.

John Griffin de Grandisone, by whom the rector of Manchester was presented, had in the year 1309 the rich prebend of Masham;—4 Id: Oct: 1310, he was collated archdeacon of Nottingham;—A.D. 1317, by papal provision he was made prebend of Heydour-cum-Walton, cathedral of Lincoln, upon the death of Thomas Grandison, who died in curia Romana;—A.D. 1327, he was made bishop of Exeter.—[Willis's Cath., vol. i, p. 105, 152, and vol. ii, p. 183.]

Of Otto de Grandisone, the third son, who in 1299 was made rector of Manchester, we know little or nothing.

§ 11. THOMAS GRESLET GRANTS A CHARTER, BY WHICH MANCHESTER IS MADE A FREE BOROUGH.

Since the charter of Salford was granted by Ranulf de Blundeville, Earl of Chester, the Greslets had for nearly eighty years withheld the boon from Manchester.

After Simon de Montfort, Earl of Leicester, had insisted at Oxford, that four knights should

be chosen by the freeholders of each county to make inquiries into the complaints of the inhabitants, and to present them at ensuing parliaments, and that these parliaments should be held every year so as to include burgesses as well as ecclesiastical dignitaries, it became impossible to resist the increasing spirit of democracy which was infusing itself into the constitution, and to withhold from the larger towns charters of freedom, whereby they would be enabled, as free boroughs, to send citizens and burgesses to represent their respective wants before the councils summoned by the king.

Salford had long since ranked as a free borough, but hitherto was too poor to afford the expense of sending up representatives to parliament. The town considered that it possessed sufficient privileges in the immunities which its free burgesses in other respects enjoyed;—their rights being secured to them by fresh provisions of the laws.

In assimilating the proposed charter of Manchester to that of Salford, the first object was to offer on easy terms the acquisition of heritable burgages;—the second was to encourage commerce;—the third was to give the burgesses a wholesome set of laws for their internal government, under a reeve of their own choice;—while the fourth was to stipulate that the burgesses should grant talliages to the king in all times of need.

With regard to the first object, which was to offer on easy terms the acquisition of burgages, these were very acceptable to such freemen of small means as were desirous to improve their condition by the industrial arts. The law of the land had also interfered in behalf of the villein, who, if he settled in a privileged borough, was liable to be dispossessed of his burgage on the retrospective plea, that during his state of villeinage all which he might have possessed was his lord's. It was therefore enacted, that if a villein should come to a borough to dwell there, and should hold land within it a year and a day without any claim of his lord, he might remain for any time as a burgess,—that is, in enjoyment of the burgage by the possession of which he became enfranchised. This burgage was also transmissible to his descendants, in the spirit of a charter which the king had granted to the city of London, wherein it was expressed “that every child should be his father's heir.”

In the second place, the charter promised commercial advantages to burgesses. If the charter which Ranulf de Blundeville granted to Salford seventy years previously, was rather deficient in

the encouragement which it gave to the extension of commerce, means were taken to obviate this want in the rival borough of Manchester. During the reigns of Henry the Third and Edward the First, the commerce of the country had received a great stimulus. Merchants of Flanders and of the Hanse towns in Germany, namely, Lubec, Hamburg, Bremen, and Cologne, had been allowed to resort to fairs, such, for instance, as had received a royal charter in Manchester, there to buy and sell freely. In 1294, privileges had been granted to Italian merchants, subject, however, to the abatement of a right upon their merchandises, and at the time when Thomas Greslet was conferring his charter, there was an establishment of merchant adventurers, who had accomplished the partial introduction of woollens both in the west and north of England.

But commerce had still to struggle against many impediments. Although the villeins distributed over an estate exercised various trades, as those of the shoemaker, tailor, smith, or weaver, the products of their industry were generally disposed of to the chief profit of the lord. There were also villein merchants, as they were named, who carried goods to fairs on behalf of their lords, such, for instance, as belonged to the bishop and prior of Norwich. But the government perceived that the promotion of the industrial arts must necessarily keep pace with the encouragement given to such artisans as were suffering under the very oppressive law which declared, that from an incapacity to possess property followed the incapacity to trade. The principle, therefore, was established, that if an artisan not enfranchised be allowed to buy and sell,—which was often the case with the villein merchant, who undertook to secure to the use of his master a certain sum in acknowledgment of the privilege, as well as of his subjection,—a presumptive evidence was thereby afforded, that such a trader was free. And hence the general law of the land, that if a person traded he was free;—and if he continued so to do for a year and a day, or if he was in any trading guild, he was absolutely free.—[Merewether and Stephens, p. 396, 479, and 584.]

In the third place, the charter granted to Manchester the benefit of certain municipal laws by which the free borough was to be governed, one great cause of which was the abuses and tyranny of the sheriff's tourn. To amend these, several wholesome provisions were made. For instance, in the Westminster statute of 1285, it was provided, that all public duties of sheriffs, hundredors, and bailiffs should be discharged by the inhabitants

in the places where they should reside; and that the inquest should be taken by twelve lawful men at the least.

There can be little doubt that some such provision as this had emboldened Thomas Greslet to grant a charter of privileges to Manchester to hold independent jurisdictions, and that a further inducement was the fact, that the superior court of the wapentake of Salford had devolved to the king, with whom Thomas Greslet was in favour. He had no apprehension, therefore, that the creation of a new law court of Manchester, for the exclusive use of the burgesses, would ever stand a chance of being resisted on the ground, either that it interfered with the hundred court of Salford, to which Thomas Greslet owed a service, or with the more general jurisdiction of the sheriff's tourn. It will, however, be proper to keep in view, that, at this time, there subsisted real grounds for an objection of such a nature, which, half a century later, had its share in giving rise to a formidable law plea.

In Manchester there existed a court baron, as well as a subordinate laghmote for the use of the "portmen" or townsmen. But it was now proposed to create a new law court, the portemanmote, over which should preside a reeve chosen annually by the burgesses themselves. In this case, the laghmote became restricted to the occasional object of expediting justice during the intervals, when the portemanmote, or when the court baron might not be sitting.

The laws expressed in the charter, by which the peace and well being of the new free borough were to be maintained, kept pace with the improvements of the age. But their benefits were denied to the villein on the plea, that he was not law-worthy. The villein could not even be admitted as a witness, and, according to Glanville, an objection might even be made against him if he were born of a villein, and afterwards emancipated. This prejudice admits of an easy explanation. It was naturally inferred, that, as a villein was not a free agent, his evidence would be under the control of his master.

But the laws of the land again interfered in the villein's behalf. It was held that every man living a year and a day in a place was to do his duty in frank pledge at the court leet, and that if a lord neglected his claim during that term, the villein was to be treated as free, and, as a consequence, might be admitted to do duty at the sheriff's tourn, or court leet.

Some few special provisions were also made in the Manchester charter, by which villeins would be enabled to participate in the advantages of the

municipal laws confirmed by the baron of Manchester. These will be more particularly described in the course of the analysis proposed to be given of the charter of Thomas Greslet.

The greatest difficulty, however, had been in drawing the distinction between the civil and ecclesiastical jurisdiction. In the reign of Edward the First, the people of England were little disposed to concede too much to the spiritual authorities. It was enacted, that when a clerk was charged with felony, and demanded by the ordinary to be delivered to him, the prelates were to be warned, in opposition to the privileges claimed by holy church, that ecclesiastics indicted of such offences by solemn inquest of lawful men in the king's court, were by no means to be delivered without due purgation, so that the king should not need to provide any other remedy therein. By the tone of this declaration, the charter of Thomas Greslet had evidently received an impulse, when it declared, that "the burgesses of Manchester might arrest men, whether knights, or priests, or clerks, if found in the borough."

The allusion to knights resisting an arrest of this kind, had a reference to their usual practice of evading the hands of justice by the plea, that they were under the manupast, or domestic protection of some superior baron, not amenable to an inferior or petty court, like that of the portemanmote of Manchester.

In the fourth place, the object of the charter to Manchester, granted by Thomas Greslet, was to secure talliages to the king in all times of need.

The expensive wars of Edward the First, his resistance of the papal interference in matters purely temporal, and his pretensions to feudal superiority over Scotland, could not be supported without money and men. Thus, in the 24th of Edward the First, we find tenths and sevenths collected in Lancashire, and in another year an eighth, a fifth, and a seventh of the moveables of the subject, along with orders to raise three thousand foot soldiers for the Earl of Surrey to be sent to Newcastle-upon-Tyne. In 1298, owing to Wallace, after his victory, having penetrated to the borders of Lancashire, which he ravaged with fire and sword, still farther exertions were required from the sheriff and earl. Two thousand foot soldiers marching from Lancashire to Berwick were required to halt there until they were joined by a later levy to the same amount. Substitutes for priests, widows, and women, severally holding of the king, were likewise sent to Carlisle, and in the 28th of Edward the First (1299-1300), three

thousand men were raised;—all holding of lands to the value of forty pounds, to meet the king at Carlisle. Refractory persons who refused to send men to perform services in the defence of the marches, or against the Scottish army, to be deeply amerced.—[Baines's Lancashire, vol. i, p. 269-71.]

During these emergencies, the government was naturally solicitous that many increased and thriving towns of England should contribute upon occasions of emergency a larger amount of talliage, or a greater number of soldiers, than they had been aforesometimes accustomed to furnish for the requisitions of warfare, and, as a result of this enactment, to render military obligations less oppressive to landed proprietors, from whom the means of raising and bringing an army into the field had been chiefly exacted. But Manchester had hitherto been too poor to be an object of notice to the king's exchequer. It was of consequence, therefore, that the town should no longer be denied the opportunity of contributing to the exigencies of the state, by the encouraging grant of new immunities and privileges.

Nor was the means overlooked of rendering the personal services of the villein effective. It was enacted, that if any villein remained without a claim for a year and a day in any city or borough whatever surrounded with a wall, he was to be made free for ever. At the expiration of this term, he was required to be sworn to allegiance, and to pay scot and to bear lot;—a civil distinction incompatible with his situation as a villein, which rendered it necessary that he should be previously made free.

A general notion of the municipal advantages conferred upon Manchester by the charter of Thomas Greslet, has at length been accomplished.

The free burgesses of Manchester did not hold from the lord of the manor by succession, but hereditarily; their burgages having been secured to them and their heirs.—There was conferred upon them extraordinary privileges to trade.—They were bound to the law in their own particular district, and there pledged to the performance of all their public functions, as well as to the allegiance which they owed to the king in the duty of keeping and maintaining his peace.—They were the free rateable population of the town, paying scot and bearing lot, that is, bound to contribute to the common scot of the place and to bear the lot, or burden of the public offices required to be performed there.—[See Merewether and Stephens's definitions in their work, p. 286, 576, &c.]

In the following works may be seen copies or translations, or both, of the Manchester charter: Whittaker's *History of Manchester*, 4to, vol. ii, p. 580, et seq.;—Aikins's *Manchester*, 4to, p. 585, et seq.;—*Literary and Philosophical Transactions of Manchester* in Mr. Whatton's *Memoir on the Armorial bearings of the Greslets*;—Baines's *Lancashire*, vol. ii, p. 175;—and, lastly, in the *Manchester Guardian* of the date of 1846, where an able translation has been made by Mr. J. Harland.

Lastly, a brief abstract of the charter, with some few comments upon it, has appeared in the *History of the Boroughs and Municipal Corporations of the United Kingdom, &c.*, by Henry Alworth Merewether, Sergeant-at-Law, and Archibald John Stephens, M.A., F.R.S., Barrister. This learned work has greatly facilitated my labour in the attempt which I shall now make to explain a charter, which, from its importance, forms an epoch in the history of the town.

I shall also occasionally avail myself of "an extent" of the manor of Manchester of 1322, preserved by Kuerden in his MSS. at the Chetham library, and copied in Baines's *Lancashire*.—[Vol. ii, p. 181, et seq.] From this document it would appear, that certain internal regulations for the government of the free borough having been imperfectly described in the charter, became shortly afterwards subject to a revision, so as to render them less confused.

THE CHARTER OF MANCHESTER EXPLAINED.

The date of Thomas Greslet's grant to Manchester is 1301, being about four years after Thomas, Earl of Lancaster, eldest son of Prince Edmund, did homage to the king, and had livery of his lands.

The charter, in its various clauses, explains, first, the privileges connected with burgrave tenures;—secondly, the regulations for the promotion of commerce;—thirdly, the laws by which the free borough was to be governed;—and, fourthly, the obligation of the burgesses to scot and lot.

First,—Among the privileges incidental to burgrave tenures, was the facility given to their transfer by sale, gift, or will. This was a signal freedom from the fetters of feudalism. For every burgrave, twelve pence a year was to be paid to the lord for all service.—A burgrave might sell his burgrave; and, upon giving four pence to the lord, might depart from the town and be free to go wheresoever he wished [that is, without incurring the penalty of a want of residence].—If a burgrave had no heir, he might bequeath his burgrave and chattels to whomsoever he pleased, saving nevertheless the lord's service.—This service was explained in the following clause: if a burgrave die, let his heir give no other relief to the lord except of some kind of arms.—Any one might sell of his inheritance, whether more or less, or even the whole, by consent of his heir; and if perchance his heir should be unwilling, yet, if necessity should fall out, it would be lawful for him to sell of his inheritance, whatever was the age of the heir.—It was also allowed to any one to sell or give his land which might not be his from inheritance to whomsoever he wished, unless his heir was desirous to buy it, but, in this case, the heir must be very near of kin in order to buy the same.—If necessity fell out that any one sold his burgrave, he might receive from his neighbour another burgrave, and any burgrave might let [tradere] his burgrave to his neighbours, provided it was done in the view of his fellow-burgesses. [By this law a humane provision was made for the necessities of the houseless.]—When any burgrave died, his wife might remain in the house and there have necessaries so long as she should choose to live without a husband, and the

heir along with her; and when she married, she was then to depart, while the heir might abide as master.

Over the moveable property, or chattels of a burgrave, the lord did not exercise any power whatever. It was lawful for the burgesses to freely deliver up [tradere] their own chattels to whomsoever they wished, within the fee of the lord, and without any license of the lord.

Yet, in the acquisition of burgages, some manorial privileges or customs were still preserved. For instance, while every burgrave was forbidden to nourish hogs in the forests, or parks of the lord, he might bring such as were of his own rearing within the lord's wood until the time of pannage, when without the lord's license they might be removed, but if they were detained beyond the time of pannage, the party was to make suitable satisfaction to the lord.—The burgesses were also under the obligation to do suit at the lord's mill and his common oven, paying to each the usual customs.

Secondly,—The charter encouraged the commerce of the new free borough.

But before explaining the regulations for trading, it may be observed, that the site selected in Manchester for the market sted [Dutch, stede; Dan., sted], was an open site of ground, or space [which the word "sted" signifies], to the north of Aca's-field, where an annual fair was held, and to the south of the ancient mill turned by the stream of the dene, or ravine, which encircled the Baron's Hull. The "market sted" was approached from the west by Saint Mary's-gate, and from the east by a lane, which, until very lately, bore the name of Market-sted-lane.

Upon the site of the mart, or market sted, there existed two descriptions of stalls, or standings. Of these, the first kind was reserved for the burgesses, where, as we may suppose, was vended such necessary articles of food and apparel, as husbandmen, artificers, or thrifty housewives were in the habit of bringing to the market;—while the second kind of stalls was reserved for strangers, that is, for those who were not commorant within the lord's fee, including merchants from a distance, who, in the course of their perambulating visits to the different fairs and markets of the kingdom, might bring with them rare or costly articles of foreign luxury.

The charter of Thomas Greslet favoured the lord's tenants by declaring, that if any man bought or sold to any one within the fee of the lord, he was to be free of the toll. But if he sought to occupy a stall, it was evident, in this case, that he might deal with customers who were strangers to the lord's fee, from whom a toll was exigible. For this reason, the reeve, on delivering to any burgrave and cess-payer [censarius] his standing in the market sted, required from him one penny for the use of the lord.

From the stranger, whose attendance at the market sted of Manchester could only be occasional, or periodical, a greater toll was levied than from the burgrave. This is evident from a law of the charter which enacted, that if a burgrave was desirous to occupy a stranger's stall (for the object, no doubt, of competing with the distant, or foreign trader), he should pay as much as the stranger himself. And, in order to obviate evasions of the toll, it was ordered, that if any one from another shire [schiria, i. e. any division or district], who ought to pay custom, went away and evaded the demand, he was to be fined, in addition to the toll, twelve shillings to the use of the lord.

Lastly, in order to prevent any goods feloniously procured from being sold in secret, it was commanded, that no man should receive anything within the town except in view of the reeve. A similar law prevailed in most other

privileged boroughs: "No man could buy or sell in the borough, or vill, without witnesses." And in a charter of the south of England, "if any man of Kent bought anything in London, he was to have two or three ceorls to witness, or the king's reeve of the wic."

Thirdly,—The charter of Thomas Greslet explained the municipal laws by which the free borough was to be governed.

Of the privileges now conceded, the greatest was that by which the jurisdiction of the town was in lesser causes removed from the court baron, and from the sheriff's town. For this purpose it was stated, that the burgesses ought, and might elect a prefect, or reeve, of themselves, whomsoever they listed, and might remove the same.

There was also created, coincident with the popular election of a reeve [or boroughreeve], a new court of judicature, restricted to cases occurring within the free borough, named the portemanmote, or mote of the portemen of Manchester.

But this important concession, by which the burgesses were to a certain extent intended to be self-governed, was not granted without due caution that nothing should be done to the prejudice of the baronial interest. Some little check, or surveillance, over the reeve was provided for: "All pleas," said the charter, "should be determined before the seneschal, or steward, by the enrolment of the lord's clerk."

At the same time, new regulations were passed appertaining to the previously existing laghmote of the town, as well as for determining more accurately the functions and competency of "the lord's court," or "Court of Manchester," as it was also named.

It has been explained, that there previously existed a court confined to the determination of the law pleas of the borough of Manchester, which, it would now seem, bore the name of the laghmote. No doubt it was erected for the purpose of expediting justice, or for the trial of less weighty causes, and was held during the intervals in which the lord's court, convened at stated intervals, was not sitting. The reeve presiding over this court would be chosen by the lord, and not by the burgesses.

The obligation under which the burgess of Manchester was held to the laghmote is shewn by a clause in the charter, in which it is said, that "if any one shall have been impleaded before the day of the laghmote and then shall appear, it is proper that he answer the same, and that he ought not to essoin [excuse] himself without amerciamment, and, if it be the first time that he be impleaded, let him have the first day."

Unfortunately, however, for the newly-created jurisdiction of the portemanmote, neither the obligation to this court, nor to that of the laghmote, were sufficiently distinguished from each other. For instance, it was laid down in the charter, that "if the reeve summon a burgess regarding any plaint, and, if, when thus summoned, he come not to the day nor any one for him within the laghmote, he should be in forfeiture to the lord of twelve pence, and the lord might have a plea upon him in the portemanmote."

It was, no doubt, owing to the ambiguity with which the relative powers of the older and newer courts were adverted to, that a further explanation was afforded in the survey of the manor of Manchester which supervened to the charter given by Thomas Greslet. It is here most explicitly stated, that the laghmote was to be regarded as subsidiary only to the newer tribunal: "A portmote of the borough of Manchester," says this interesting docu-

ment, "is held there four times a-year, at which every burgess, his eldest son, or his wife, must attend without essoin to the summons of the borough. And, if necessary, a laghmote can be held between every portmote, for the purpose of a more speedy dispensation of justice to plaintiffs and others seeking redress. And a burgess ought not to plead elsewhere for a contract made within the lordship, nor be impleaded elsewhere, except only in case of felony, where he shall plead, and being accused, shall be impleaded by the appellant in the court of the lord."

From the last quoted clause it would appear, that notwithstanding the newer creation of a portemanmote in addition to the laghmote, previously existing, the lord's court, or court baron of Manchester, continued open to the burgesses, the distinct functions of which were to take cognizance of trespasses wherein the peace of the lord and of his bailiffs were broken, as in cases of assault, or of felony. If any one, says the charter, shall have been impleaded in the borough of any complaint, he shall answer neither to a burgess, nor to a villein, except in his portemanmote, nor even to a vavasour, except in a plea which might belong to the king's crown, and regarding larceny. And again, in the record a little posterior to the date of the charter, to which I have alluded, every burgess is duly warned, that in case of felony, the jurisdiction is in the lord's court, where, being accused, he shall be impleaded by the appellant."—[From Kuerden's Manorial Records apud Baines, vol. ii, p. 185.]

Having, at length, enumerated the three courts to which reference was made in the charter of Thomas Greslet, we may now confine ourselves to the portemanmote and its subsidiary court, the laghmote.

Certain provisions were framed to regulate the attendance at these courts. The refusal to obey the reeve's summons to the laghmote incurred a forfeiture to the lord of twelve pence, who in this case might have his plaint against him in the portemanmote.—If any one, upon being impleaded, followed the same three court days during which his adversary made default [or was absent], he would be exonerated, upon the evidence of the reeve or his neighbours of the portemanmote, from ever afterwards giving a response to that plea.—If a burgess, after having been sued by another burgess, acknowledged the debt which he owed, the reeve might assign him a day, to wit, the eighth, in failure of which he would have to pay not only the debt, but twelve pence to the lord and to the reeve eight pence.—Should any one have been impleaded before the day of the laghmote and should then come, he would have to answer and not essoin [excuse] himself without forfeiture, and if at that time he should have been the first impleaded, he would have the first day.

Again, in making a claim, there was required, agreeably to the ancient Saxon laws, pledges from the person against whom the claim was made, in failure of which it was inferred that the pursuant was not in decenna, and, of course, was not law-worthy. Hence the provision, that if any one upon making claim to anything, had not found [or obtained] sureties or pledges, and had been afterwards disposed to give up his claim [not having been able to comply with the conditions of the court], he should be without forfeiture.

Also, if any one wounded another in the borough, the reeve was to attach him, if found without his house, by a security and pledges [per vadium et plegios].

The charter next explains the description of persons who were liable to the jurisdiction of the portemanmote and the subsidiary laghmote.

Independently of the authority given to the reeve to summon any burgess on any plaint, and of one burgess to sue another, it is added, that every one ought, and might be at plea for his wife and family. Of this law it has been remarked, by Merewether and Stephens, that it was in strict uniformity with the doctrine of the manupast, as laid down by Bracton, Britton, and Fleta.—[See also page 32 of this work, where an explanation of the ancient law of the manupast is attempted.]

The same clause of Thomas Greslet's charter, which makes a burgess responsible for his wife and family, empowers the wife, if perchance the husband should be elsewhere [that is, absent from home], to follow a plea for her husband, and permits her to give up his farm [firmam suam reddere] to the reeve. By the term "firma," from the A. S. feorm, is implied, in its more enlarged sense, any goods or substance whatever, yielding food, support, or money.—[See Bosworth, in voce feorm.] Accordingly, the "firma," or farm of the absent husband, is rendered available to the reeve for the risque, and costs, of following up the plea undertaken by the wife.

Another clause of the charter lays down how far knights, priests, and clerks, if found within the borough of Manchester, were amenable to its jurisdiction. The necessity of a regulation of this kind may be explained by the circumstance, that knights were accustomed to evade the jurisdiction of inferior courts, in which light the portemanmote of Manchester was regarded, upon the plea that they were of the manupast of some baron, or inferior lord, who could not be cited by any subordinate tribunal. Hence the frequency of inquiry at courts leet, and even at the sheriff's tourn,—“If there were any knights, clerks, and others? and, if not in decenna, of whose manupast they were?”—With regard to the evasion of priests, or clerks, if they were not enabled to excuse themselves from the debts which they might incur, on the plea that they were of the manupast of some bishop, abbot, or lay lord, they would strive to shelter their liability under the cover of the indistinct limits assigned to ecclesiastical and civil jurisdiction. Against these various pleas, therefore, a clause in Thomas Greslet's charter peremptorily allows the burgesses of Manchester “to arrest all men for their debts, whether knights, or priests, or clerks, if found within the borough.”

In the next place, the charter points out the way in which villeins, who were pledged, or in decenna, could be rendered amenable to justice by the law of manupast.

The charter, in the spirit of the times, pronounces that the villein is not to be regarded as law-worthy, yet it points out devices wherein he may be indirectly a suitor, or be sued. For instance, if any villein should accuse the burgesses of anything, they ought not to respond, unless the charge should be at the suit of burgesses, or other law-worthy men [legales homines]. That is, the villein could obtain no redress except through the medium of some burgess, or other law-worthy man, a resiant, of whose manupast he might be.—Another clause of the charter (hitherto much misunderstood) directs the burgess how to act in the prosecution of a villein, as, for instance, in lending to him money [denarios]. Owing to the villein not being admissible in decenna, he could not be pledged, and, of course, could not be directly sued. In this case, the responsibility for the debt would attach itself to the resiant of whose manupast the villein was, for whose forthcoming, the pledges [or “borowes”] with whom the resiant was linked in decenna, became responsible. “Borowes” [plegii] having thus been found, the charter accordingly declares, that if a burgess should lend anything to a man who was a

villein in the borough, and if the time of payment should have transpired, the burgess might take a gage [namium, A. S. name, a seizing of goods, or distress] of the villein, and by his gage [or hypothec] might certify him [the villein, that is, take out a writ against him], and he might restore the gage, through pledges [per plegios], even to the term of eight days, and that then the pledges [or “borowes”] might give back either the gage or the money [et tunc reddant plegii sive namium, sive denarios].

The foregoing clauses shew, that at the time when the charter was granted, the system of villeinage, although evidently declining, had still considerable influence in all the social relations of the community of Manchester.

Regarding the practice of the borough courts, we have little light. Nothing, for instance, may be gathered of the state of compurgation, or evidence, except what is revealed to us in the following clause:—If any one shall lend anything to another without testimony, the alleged borrower is exonerated from answering to the claim, and he may deny it by the oath of two men. The force of this judiciary appeal to the solemnity of an oath was also enhanced by the regulation, that “no man should require his neighbour to take an oath, unless he had a suit belonging to some claim.”

An occasional light only is thrown in the charter upon the causes falling under the jurisdiction of the portemanmote, or of the subsidiary laghmote; and of the penalties to which offences were liable.

Emendations of the assize are stated to have been within the peculiar province of the portemanmote and laghmote, as the charter states, that whoever broke the assize either of bread, or ale, was to forfeit twelve pence for the use of the lord. It has been remarked, by Merewether and Stephens, upon this particular statute, that it afforded a proof of Manchester being at this time separated from the county, otherwise this infraction of the assize would have been inquired into by the sheriff in his tourn.—[See remarks on the Charter of Manchester in the History of Boroughs, &c.]

And, no doubt, the same courts, the portemanmote and laghmote, took cognizance of infractions of the custom to the lord's mill and oven;—for it is said, “the burgesses, as they ought and were wont to do, shall follow and pay their custom to the lord's milne and common oven.”

Frays came under the cognizance of these courts, as is evident from a very remarkable regulation, which makes a wide difference between an assault committed on the Lord's day, and one that occurs on any other day. It would also appear that, at this time, the church required, along with the first day of the week, a portion of the preceding Saturday as belonging to the festival of the first day of the week. The charter states, that if any burgess in the borough should have wounded another burgess upon the Lord's day, or from noon on the day of the Sabbath [Saturday] to Monday, he should be in the forfeiture of twenty shillings. And if on the Monday, or on any other days of the week, he should have wounded any one, he was to incur the forfeiture of twelve pence to the lord.

It would seem, however, that the reeve took little or no notice of frays, except they occurred outside the house of a burgess, when there would be a public breach of the peace. In this case the offender was to be attached, and there was to be demanded security and pledges [vadium et plegios]. And even in the event of a fray thus occurring, provided it was bloodless, the greatest encouragement was given to the offending party returning home as promptly as possible,—no doubt with the view of obviating as much as possible the gathering of a crowd, and the possibility of

a public disturbance, as well as of affording the combatants an opportunity of reconciliation through the intervention of mutual friends. It is stated, that if in any strife, through anger, one burgess should strike another without effusion of blood, and if the assailant should be able to return home without the accusation [or charge] of the reeve or of his servants [that is, without their being personally present, or called in, to quell the fray], he was, at least, to be free from the suit or prosecution of the reeve. And, in the mean time, if the party sustaining the outrage [guerram] should be able to bear with the same,—“well be it!” as the clause of the charter adds. Otherwise, by the council of friends he might make peace with his opponent, and this without forfeiture to the reeve.

Such were the crimes stated to fall under the cognizance of the portemanmote and laghmote. In the case of theft, or larceny, or in a plea which belonged to the king's crown, it has been explained, that the reeve might attach a burgess to answer in the lord's court, and there to abide the judgment.

Fourthly,—But I now proceed to explain that part of the charter which appertains to the obligation of burgesses to bear their share of scot and lot, and to contribute to the talliages of the king.

At the time when Thomas Greslet gave the charter to Manchester, the whole kingdom was preparing to rise in arms to defend the northern counties of England from the descents of the Scots. In each privileged borough of the kingdom, provision was made for relays of twelve men to watch continually all night; which duty, in every other town, was to be done by four to six men;—all strangers to be arrested, and the hue and cry directed.

Owing to these requisitions, one great object of Thomas Greslet's charter had evidently been to comply with the requisitions of the sovereign, in aid of the very expensive wars then carried on, by making Manchester “geldable,”—a term used to denote the liability to contribute to the public funds.

For instance, as the last clause of the charter explains, Thomas Greslet secures to the burgesses of Manchester and their heirs, for ever, all the privileges recounted, saving to him and his heirs a reasonable talliage, whenever the lord the king should make talliages among his free burgesses in England.

The charter concludes after the following manner:—And that this gift and concession may be ratified and established, I have confirmed this writing by the apposition of my seal. These witnesses [being present], the lords John Byron, Richard Byron, knights; Henry de Trafford, Richard de Hulton, Adam de Prestwyche, Roger de Pylkington, Galfred de Chaterton, Richard de Moston, John de Prestwyche, and others. Given at Manchester on the fourteenth day of May, in the year of the Lord 1301, and in the twenty-ninth year of the reign of Edward, son of Henry, the king.

It does not appear that, after the charter was granted, the new free borough was represented in parliament. A little before the time when the Manchester charter was granted, parliamentary writs had been issued, and one hundred and twenty cities, or more, had been summoned to send members to parliament. As no municipal corporation then existed, the burgesses who first sate in parliament (as Messrs. Merewether and Stephens have shewn) were not corporators, but inhabitant householders, presented, pledged, and sworn. The sheriff was required to send

two knights for each shire, two citizens for each city, and two burgesses from each borough within his bailiwick. Yet it does not appear that the new free borough of Manchester partook of this advantage.

As a seal is spoken of so early as the year 1223 as belonging to the town of Newcastle, we may suppose that Manchester, like other towns, then received a common seal, to be kept in a common chest with a certain number of keys, and to remain in the custody of the most discreet men. The arms of Manchester have been described as gules, three bendlets enhanced Or.

§ 12. GALFRIDUS DE STOKE.—WAS HE RECTOR AND DEAN RURAL?

Hollinworth states, that, anno 1301, Galfridus de Stoke succeeded Otto de Grandison, at the presentation of Thomas Grelle. According to Whitaker, Galfridus de Stoke subscribed himself, a few years later than this date, as a witness, “nunc decanus de Manchester.”

This institution, however, does not seem to have been confirmed by the Lichfield calendar of presentations, among which the name of Galfridus de Stoke is not to be found. Neither are we informed of the resignation of Otto de Grandison, who, two years previously, had been presented to the rectory of Manchester, by the patronage of the king, and not by that of Thomas Greslet.—[See page 69.] This discrepancy it is not easy to reconcile, except on the fact, that the right of patronage was not unusually invaded by the king, as well as the pope.

That a priest of the name of Galfridus de Manchester existed about this time, can be shewn by existing documents. But he rather appears in the light of a dean, than of a rector of Manchester. Yet, as we are scarcely warranted to contend against the testimony of Hollinworth, we must conclude that the offices of dean rural and rector were united in the same individual.

It may be now observed, that, among the copies of old deeds collected by the late Mr. Thomas Barrett, and preserved in the Chetham library, is a document to which is attached the seal of the chaplain of Galfridus, dean of Manchester, apparently the sub-dean of Galfridus de Stoke. The transcript from the original is not, I fear, perfectly accurate.

Sciant presentes et futuri quod ego Galfridus de Mancestre cappellanus dedi et hac presenti carta mea confirmavi Reginaldo le Flecher de Mamecestre unum messuagium ac pertinencias in villa de Mamecestre in le Denesgate jacentes immediate inter burgum [et] Luaclin de Mholwor videlicet illud messuagium quod Henricus le Molor quondam tenuit habendum et tenendum de me et heredibus meis predicto Reginaldo heredibus que suis vel suis assignatis vel cuicumque et quodcumque dare legare vendere vel assignare voluerit domo religionis excepta libere quiete bene in pace in feodo et hereditate Reddendo

inde annuitatem mihi et heredibus meis unius denarii scilicet ad natale domini pro omnibus serviciis [et] consuetudinibus exactore seculari demandendis. In cujus rei testimonium huic presenti sigillum meum apposui. Hiis testibus Johanne Gredlay Galfrido de Bracebrugge Roberto de Stuston senescalo de Mamcestre Ricardo filio Ranulphi Roberto filio Symonis predicti Burgi de Mamcester et Johanne clerico cum aliis.



The above document may, perhaps, require a little comment. The chaplain of Galfridus of Manchester grants and confirms to Reginald the Flecher, a messuage in the Denesgate, lying immediately between the "burgage and adjacent lake [or pool] of the miller," which Henry the miller formerly possessed, with power to bequeath, sell, or assign, on the condition of paying to him and his heirs an annual rent of one penny at Christmas, in lieu of all services, customs, &c.

There is, however, in this grant, a special exception made to the alienation of the property to any religious house, which was, no doubt, suggested by the great favour in which monasteries, and particularly the Cluniac monks of the neighbouring cell of Kersall, were held. Against such alienations some fresh stringent laws had been made by an act of the 7th of Edward the First, in which it was declared, that "all alienations of land in mortmain, whether by sale or gift, by whatever means, or under whatever pretext, were forbidden, on pain of forfeiture to the immediate lord of the fee; or, in his default, for twelve months to the lord paramount; or, in default of the lord paramount, for other six months to the crown."—And again, in another act of the 13th of Edward the First, to prevent collusion it was provided, that "in all cases wherein the clergy or religious should set up a title to any land, and judgment should be suffered to go by default, a jury should be empanelled to try the validity of the title; and if fraud should be discovered, the land should be forfeited, as under the preceding statute."—[Tierney's edition of Dodd's Church History, vol. i, p. 328.]

Lastly, some few remarks may be made on the curious seal affixed to the deed, exhibiting the head of a clerk in orders, with the inscription round it of

"Capellanus Galfredi de Manchester:—it ought, perhaps, to have been copied "Mamecestr."

At this time, owing to the want of public notaries in England, the privilege was first confirmed to deans rural of using seals. These seals were either adapted for temporary, or for permanent purposes. It is supposed, that when the office was temporary, deans were not allowed to have their own names inscribed on the seal, but simply the name of their office [Horæ Dec. Rur., vol. i, p. 149 and 387]; and that when, along with the engraving of the office upon a seal, there was that of the name—as was the case in Manchester during the fifteenth century—the office was for life. During the thirteenth century, however, no seal whatever of the dean of Manchester has yet been found by which we have been enabled to judge whether the office was temporary, or otherwise. The seal of the chaplain of Galfridus de Manchester, probably of Galfridus de Stoke, decanus, imparts no decisive information on the question which has been raised. Yet if the chaplain was actually a sub-dean, as may be suspected, the seal, now figured, would certainly indicate that the functions of the dean himself were enjoyed during life.

§ 13. NICHOLAS DE ARDERNA APPOINTED RECTOR OF ASHTON.

By the kindness of Dr. Ormerod, I have been favoured with a list of the successive rectors of Ashton, under the following title: "Patronage of Ashton Rectory, as exercised by the Inau^l Lords of Manchester." They are given on the authority of Vernon's Extracts from the Episcopal Registers of Lichfield: Harleian MSS., 2075. From this list, I now extract the following record:—

Ashton subter lyneam		
Time of Presentation	Rector	Patron
1305. 15. Cal. Ap.	Nicholas de Arderna Cler.	Thomas de Grelle.

The church of Ashton was then valued at forty marks annually.

It is to be remarked, that, in this and other instances, the patronage of the church of Ashton was exercised by Thomas Greslet, at the time when the manor of Ashton was held directly from the lord of Manchester by the subinfeftment of one of the Ashton family, and by the more immediate fealty of a Kirkeby, whom we may consider as a mesne lord of the manor of Ashton. This separation of an advowson, or presentation, from the estate to which the advowson or presentation was annexed, prevailed, according to Bishop Burnet, in no other nation, or church, save our own. It has been remarked by Mr. Dansey [Horæ Dec. Rur., vol. i, p. 80], in citing Johnson's ancient and present church of England, and Kennett on impropriations, "that in Spain, and some other countries, no patron

could alienate an advowson, but by selling the manor to which it belonged; and that by our law, if the lord of a manor should grant to another person his manor, cum pertinentiis, the advowson or patronage of any church or churches, appendant to that manor, would pass to the purchaser, or other grantee, even though there should be no express mention of the advowson; nay, though the words cum pertinentiis should have been admitted." Yet, in the case of Ashton, we find, that the advowson or patronage of the church was actually separated from the manor itself.

§ 14. THE CLUNIAN CELL OF KERSALL BECOMES SUBJECT TO THE ACT "DE ASPORTATIS RELIGIOSORUM."

We are now called upon to advert to the altered position of the Clunian cell of Kersall, founded by Ranulf Gernons, the fourth Earl of Chester, in the twelfth century.

It is computed that at the close of the reign of Edward the First, no fewer than forty-two Clunian establishments, exclusive of three cells, existed in England, the greater part of which had their origin prior to the reign of King Henry the Second;—Sleveholm, in the county of Norfolk, having been the last founded, the date of which was 1222.

These religious establishments were subject to the chief foreign houses of Clugni, namely, "La Charite sur Loire," and "Saint Martin des Champs," at Paris, who had claimed the visitation of all Clunian monasteries founded in England and other countries, and who even refused to the convents under their control the election of their own priors. Neither could the profession of novices be received in England, nor any differences whatever be determined without an appeal to the superiors beyond the sea. As a consequence, all the monasteries of this order in England were governed by foreigners, who not unfrequently placed in them more French than English monks.

The houses abroad likewise claimed pensions from the establishments of their order in England, called "apportus," which amounted to a large sum. The abbot of Clugni, for instance, who had a lion's share, had a pension from England of two thousand pounds per annum. The prior of the oldest of the Clunian houses of England, which was situated at Lewes, was at first created high chamberlain to the abbot of Clugni, and afterwards became his vicar-general in England, Ireland, and Scotland. Under this surveillance, so great was the drain of money, that some of the houses were considerably in debt to foreigners.—[See the last ed. of Dugdale's Monasticon.]

Such was the condition at this time of the Clunian cell of Kersall, near Manchester.

But the abuses narrated were far from being confined to Clunian establishments. The abbots and priors of the Cisterciens and Premonstratenses, as well as of the rules of Saint Augustine and Saint Benedict, and of many more of the religious orders, had set divers heavy talliages and payments on the monasteries and houses in subjection to them in England, Ireland, and Wales, without the privity of the king and his nobility, whence it happened, that the objects which had given rise to monastic foundations, such as almsgiving, hospitality, or the celebration of masses for the souls of the dead, were defeated. Accordingly, by an act "De Asportatis Religiosorum," passed in the 35th of Edward the First (A.D. 1306-7), every abbot, warden, or prior, under the king's jurisdiction, was forbidden to send any tax out of the kingdom imposed by the abbots, priors, or wardens of religious houses, their superiors, under the name of rent, talliage, &c., and, under no colour of visitation, were the goods of their monasteries and houses to be carried out of the kingdom.—[Tierney's ed. of Dodd's Church History, vol. i, p. 330-1.]

§ 15. THE CIVIL AND ECCLESIASTICAL STATE OF LANCASHIRE, AND OTHER COUNTIES, AT THE CLOSE OF THE REIGN OF EDWARD THE FIRST.

As we have now approached the close of Edward the First's reign, it will be necessary to take a glimpse of the very altered state of civil and ecclesiastical affairs.

No event in the history of this period created such a revolution in the feudal institutions of this country, as the demand for aid to carry on the Scottish campaigns, for the support of which great sacrifices were made in the existing institutions of both church and state. This change was to be particularly traced in Lancashire, owing to its having been menaced by Scottish invasions.

In the 31st of Edward the First (1302), seven hundred men were required to be sent from Lancashire, and all prelates, women, and others, willing to pay twenty pounds for each knight's fee, were either to be fined or provide substitutes with horse and arms for Berwick. Three years afterwards, Edward the First, in marching to the north, fixed his head quarters at Preston, and, in the same year, two writs were sent to the sheriff of Lancaster ordering fresh requisitions of men to meet at Carlisle, and cautioning all Lancashire knights, upon pain of arrest and confiscation, from engaging in jousts and tournaments until the Scottish war was terminated. The distinction of

knighthood was also rendered imperative upon every Lancashire freeholder properly qualified. The king then marched from Preston to Scotland, when the overthrow of Robert Bruce was the result. A thousand men were forthwith ordered to be raised in Lancashire to pursue Bruce in his flight.—[Baines's Lancashire, vol. i, p. 264 and 271-3.]

These were severe requisitions inflicted upon Lancashire, in which other northern counties, owing to their proximity to Scotland, no less partook. During the commotion which was excited in Manchester, it was directed (as is shewn in a later manorial document, preserved by Kuerden) that the lord should have arms for the use of each burgess while he lived, and, in order that no alienation of them might ensue, it was enjoined, that when a burgess died, he should give no other relief except arms of some kind.

But, in quitting the consideration of civil affairs, we now approach a new era in our local annals, which dates from the time (1301) when the papal dominion was still more decidedly upon the wane. Boniface the Eighth, who had favoured the Scots in demanding of Edward if he had any pretensions of sovereignty over Scotland, added, that the question ought forthwith to be submitted to the Roman see, without the necessity of spilling any more blood. Edward indignantly replied, that in matters purely civil, the kings of England never were, and never would be, subject to any power upon earth, spiritual or temporal.

Another cause of Edward's indignation, was the refusal of the clergy to submit to a taxation for the support of the wars without leave of the pope. Subsequently, a petition from the lords and commons was presented to the king at Carlisle, which, among other complaints, adverted to the papal provisions to vacant benefices,—to the revenues of religious houses being claimed for the maintenance of cardinals,—to the first fruits of all vacant benefices being seized,—to the grant of Peter pence, hitherto fixed at a certain sum, being enlarged,—to the goods of persons dying intestate, and of others whose wills bequeathed property for general purposes of charity, being taken and appropriated,—and, lastly, to the employment of various dishonest expedients for the gratification of the wants of the pontiff, for enriching his dependants, or for humouring the cupidity of his procurators.

With the consent of Edward, an unanimous resolution was then entered upon the rolls, that the existence of such grievances, oppressions, and

exactions, should no longer be tolerated in the realm. Writs were also addressed to the sheriffs of the different counties, ordering all persons employed by Testa, the pope's agent, as collectors, to retain in their hands, for the king's disposal, the monies thus levied.—[Tierney's ed. of Dodd's Church History, vol. i, p. 142 and 335.]

§ 16. THE INTRODUCTION OF THE FAMILY OF LA WARRE TO THE BARONY OF MANCHESTER.

We now draw near to the close of the annals of the last of the Greslets, who being wearied of active life, without issue, and, doubtless, feeble in health, was preparing to transfer the manor of Manchester to his only heir, a sister.

Thomas Greslet, the eighth and last baron of that name, being unmarried, had a sister, Johanna, wedded to John la Warre, baron of Wickwar, in the county of Gloucester. Owing, probably, to some illness, the baron of Manchester was induced to retire from the town which he had made his chief residence, to Wickwar, the original seat of the Ware family,—there, in the society of his sister, and heir, Joan, and his brother-in-law, to end his remaining term of life. In undertaking this expedition, he was attended by at least four Lancashire gentlemen, namely, Henry de Trafford, knight, Richard de Hulton, Adam de Rossendale, and Geoffrey de Chaderton. In summoning these friends, therefore, to his presence, in company with several Gloucestershire gentlemen, he made a formal grant of his manor of Manchester, and the advowsons of the churches of Manchester and Ashton, to John la Warre, knight, and Joan, his wife, subject to an annual payment, during his life, of one hundred marks:—

Sciant presentes et futuri quod ego Thomas Grelle filius et heres domini Roberto Grelle militis dedi concessi et hac presenti carta mei confirmavi Domino Johanni la Warre militi et Johanne uxori sue sorori mee et heredibus dicti Domini Johannis manerium de Mamcestre cum pertinenciis cum advocacione ecclesiarum de Mamcestre et Asschtone in comatatu Lancastriensi et quicquid ibidem habui vel alioqui seu jure habere potui ut in homagiis redditionibus foedis militaribus esceatis villanagiis et eorum sequellis pratis pasturis molendinis aquis piscariis boscis chasciis moris mariscis libertatibus liberis consuetudinibus reverscionibus—quibuscunque et omnibus aliis rebus dicto manerio pertinentibus Habendum et tenendum dictum manerium cum pertinenciis eisdem domino Johanni et Johanne heredibus et assignatis dicti Domini Johannis de capitalibus dominis feodi illius per servicia inde debita et consueta Reddendum michi singulis annis Christi Domini dum vixero de predicto manerio ad festiū natalis Domini centum marcas et post decessum meum solutio predicti redditus omnino cesset Ego vero dictus Thomas et heredes mei dictum manerium cum advocacione ecclesiarum predictarum cum omnibus aliis pertinenciis ut predictum est eisdem Domino Johanni et Johanne heredibus et assignatis

dicti Domini Johannis contra omnes homines warantizabimus acquietabimus et defendemus in perpetuum. Et ut hec mea donatio concessio et presentis carte mee confirmacio perpetuam firmitatem habeant presentem cartam sigillo meo signavi. Hiis testibus Dominis Johanne Wogay Johanne de Wylintone Johanne de Actone Johanne de Burtone Wilhelmo de Wantone Thoma le Boutillier Johanne Bischof militibus Roberto de Budelescumbe Henrico de Tresham Johanne de *Quinbe* Roberto Senare Johanne Champeneys Johanne de Chalkleghe Stephano de Salso Marisco Roberto le Warmer de Comitatu Glocestrie Henrico de Trafford milite Ricardo de Hiltone Adamo de Rossendale Galfrido de Chadertone de comitatu Lancastrie et aliis Data apud Wikewarre in comitatu Glocestrie die lune proximo post festum sancti Gregorii pape anno regni Regis Edwardi filii Regis Edwardi Secundo.

It is curious that the seal appended was not that of the granter, but of the grantee. It is well figured in Baines's History of Lancashire, from which the foregoing document, communicated by Sir Oswald Mosley, is copied.—[Baines's Lancashire, vol. ii, p. 538.]

The arms of John la Warre were described, during the time when he lived, after the following manner:—"Sire Johan de la Ware, de Goules, crusule de Argent, a un lion rampaund de argent."—[Roll of Arms of Edw. 2^d, by Nichols, 1828.]

§ 17. CIVIL STATE OF THE LORDSHIP OF MANCHESTER AT THE CLOSE OF THE BARONIAL SWAY OF THE GRESLETS.

Under this head an important inquiry is involved—How far the Greslets had performed the social duties of landed possessors in the large and well-peopled territory committed to their care, during a period of two centuries, or more?

This very grave and solemn question admits of no reply, save in the spirit of the Divine principle,—That from him to whom much has been given, much will be required. In directing, therefore, this interrogation to a landed proprietor of the thirteenth century, such, for instance, as the last of the Greslets, it is not easy to conceive of any other mode in which the question could be resolved, than in adverting to the state of advancement manifested by the social mass of tenants, whether comprising the more humble cultivators of the soil, or the trading burgesses of Manchester, during their progress towards civilization,—during their gradual emergence from the oppressions of villeinage to the full enjoyment of such civil advantages, as long continued to be the boast of English freemen.

On the present occasion, the answer to be given is most unfavourable to the interest which the Greslets appear to have taken in keeping pace with the progress of the age in which they lived,

—if we except from this condemnation the slight efforts of Robert Greslet, the fifth baron, to promote, by an annual fair, the nascent commerce of Manchester. A charter to the town was not conceded until the expiration of seventy years after Ranulph de Blundeville, the noble and patriotic Earl of Chester, had enfranchised the town of Salford, nor would it, perhaps, ever have been granted, except for the talliages demanded by the state from all towns growing in population. The Greslets appeared far more intent upon preserving from trespasses the aeries of hawks, the herons and eagles, and the verd and venison, of Horewich Moor. They seem to have had few tastes or propensities beyond those which they had inherited from their rude ancestors, while roaming amidst the uncultivated and desert tracks of German forests, where the toils of the chase were less a recreation to chieftains, than indispensable to the maintenance of savage life. They were perfectly insensible to the duties required from property, in contributing to the advancement of the humble cultivators of the soil, in their gradual transition from a galling state of villeinage to the full enjoyment of the rights of freemen.

Even in the later records of the Greslets, it is perfectly evident, that within the barony of Manchester, villeinage had lost little or no ground; its exchange for the condition of bondage tenure having been limited to the hamlets of Ardwick, Gorton, and Crumpsall. In the last act of the last of the Greslets, by which Thomas Greslet delivered up to his brother-in-law, John la Warre, the manor of Manchester, with the advowson of the churches of Assheton and Manchester, the deed expresses, among other appurtenances recited, "*et quicquid ibi habui*"—"in villanagiis et eorum sequelis." This is a most disgraceful clause, and the more particularly so from its appearance in an age when an unchristian slavery was fast disappearing from the estates of more reflecting and conscientious landed possessors. According to Kennet, in his Parochial Antiquities, the *sequelæ villanorum* might be defined, "the retinue and appurtenances to the goods and chattels of villeins, which were at the absolute disposal of the lord." It is also explained by this author, that "in former times when any lord sold his villein, it was said '*Dedi B. nativum meum cum tota sequela sua*,'—which included all the villein's offspring."

With this transfer, therefore, of Thomas Greslet's tenants in villeinage, including all their goods, chattels, and offspring, to another race of baronial lords, the third part of the present history draws towards a conclusion.

CHAPTER IX.

MISCELLANEOUS NOTICES RELATIVE TO THE STATE
OF THE MANCHESTER CHURCH, UNDER THE
PATRONAGE OF THE GRESLETS.

Before concluding the third part of this history, I have reserved for the latest description, certain ecclesiastical notices to which no precise date can be fixed, yet illustrative of the state of the church of Manchester during the patronage of the last of the Greslets.

§ 1. THE CHAUNTRY ASCRIBED TO ONE OF THE
THREE ROBERT GRESLETS, SUCCESSIVE BARONS
OF MANCHESTER.

In the inquest taken in 1535, previous to the dissolution of the religious houses of England, there is an endowed chauntry mentioned, which is ascribed to the foundation of a Robert Greslet.

But as there were three successive Robert Greslets, barons of Manchester, it is not easily discoverable to which of them the foundation of the chauntry was really due.

One of these Robert Greslets was the second baron of Manchester. He gave to the monks of Swineshead, in Lincolnshire, the mill turned by the stream which contributed to insulate the Baron's Hull. This mill ceased to be productive to the abbey, after a more efficient one had been erected on the banks of the river Irk.

Another Robert Greslet was the fifth baron of Manchester. He gave to Aca, clericus, a piece of land, in consideration of three shillings annually. This land, about six acres and a half, was, no doubt, Aca's-field, upon the site of which the fair of Saint Matthew was held.

There was, again, one more Robert Greslet, who was the seventh baron of Manchester. He made a few religious bequests, chiefly to the abbey of Stanlawe, but no gift to a chauntry in Manchester is recorded of him.

From this recapitulation it is highly probable, that the Robert Greslet to whom the chauntry was attributed, was the fifth baron of that name; and that Aca, the clerk, was one of the earlier incumbents of an ecclesiastical foundation, which somehow, or other, connects itself with the chauntry of the time of the Reformation.

This connexion I shall now attempt to explain.

A church, or chapel, dedicated to Saint Matthew, and erected on the ground long known by the name of Aca's-field, is supposed to have stood on the site in, or near the present modern church of Saint Anne, built at the commencement of the eighteenth century. In support of this opinion, I cited the authority of Whittaker, who has stated,

that in the erection of the church, "vast quantities of bones were dug up, reposed in their cells, and discovered every where as the foundations were carried along, about two feet deep in the ground."

Such an appearance as this gives an unerring evidence of the immediate proximity of an ecclesiastical structure, and, as such, I had little hesitation in connecting it with a church built in honour of Matthew the Evangelist, whose annual feast of dedication would give rise to the chartered fair of the saint. As this fair acquired the name of Aca's fair, we must suppose from this, as well as from other circumstances already explained [see page 38-40], that the profits of the fair were originally enjoyed by Aca, or by his earlier successors, and that, subsequently, the tollage must have been reclaimed by the lord, as the amount of it regularly appears in the manor rolls of Manchester.

Again,—from some cause or other, of which we have no historical record, the church of St. Matthew, otherwise Aca's Church, must have fallen into decay at so early a period, as to have left no traditional memorial of its original site, and no further indication of its existence except what has been detected during the excavations of the eighteenth century.

And, in the last place, the lands with which Aca's Church was endowed, would be reserved, as was frequently the case when an ecclesiastical structure became ruinous, for the purpose of founding a chapel, or chauntry, in which masses would be sung for the repose of the souls of the founders, and his posterity.

There is little doubt that such was the origin of the chauntry, which, in the inquest of 1535, is said to have been on the foundation of Robert Greslet [named Gryell]. For the support of this chauntry, a quit rent,—not of three shillings, the sum paid by Aca, but of twenty-seven shillings and sevenpence was paid;—which increase of rent proves, that some further distribution of lands must have taken place for the support of this foundation. At the late period of 1535, the chauntry was in receipt of rents and dues, arising from divers burgages in Manchester, to the amount of £6 0s. 11d., from which the lord's chief of twenty-seven shillings and sevenpence was deducted.

The late Mr. Palmer, in his excellent architectural memoir, given in the second volume of the Foundations of Manchester [see p. 232], supposes that the site of this chauntry, evidently not forming any portion of the collegiate, or parish church of the time of the Reformation, adjoined the present Old Shambles of Manchester, situated between the Market-place and Smithy-door. But

in the remains which he describes, there is less evidence of this assertion, than that the edifice in question formed one of the many sanctuaries with which Manchester abounded, at a period even as early as that of the Greslets.

There is, in short, scarcely any other supposition countenanced by history and actual remains save one,—namely, that Saint Matthew's Church, after it had fallen into decay, was replaced by a chauntry, erected on some site at present unknown.

§ 2. A SECOND CHAUNTRY, OF UNKNOWN DATE,
ERECTED AT MANCHESTER.

There is, again, in the inquest of 1545, another chauntry, or chapel, recorded, as not forming any portion of the parochial, or collegiate church, which must have been of a very ancient date, as the founder's name is unknown. The rents of divers lands and burgages, from which it derived support, amounted at that time to fifty shillings, from which was paid to the lord of the manor a chief rent of three shillings and fourpence,—the sum of which more nearly corresponds with the annual chief of three shillings paid by Aca, than that of the last chauntry described. The site of this second chapel is perfectly unknown.

§ 3. THE SANCTUARIES EXISTING IN MANCHESTER.

Cities of refuge, which were sanctioned by Hebrew policy, met with countenance from Alfred, on this plea:—that they were calculated to afford a temporary shelter to an offender who might have slain a man unwittingly, whereby he would be screened from the vengeance of relations, until angry passions had time to cool, and reflection to again assert her sway. In an early period, three days only of the privilege of sanctuary were allowed,—which term was afterwards extended to a week, to nine days, and, eventually, to a much longer time, namely, forty days.

The crimes, also, for which sanctuaries afforded a shelter, began to change their character. During the interval of forty days, even felonies and treasons met with a shelter, provided that offenders, in the meantime, acknowledged their fault, and took an oath to forsake the realm for ever. It was also allowed to all manner of persons to give a fugitive meat and drink,—though not after the expiration of the term, upon pain of being held guilty of felony.

Eventually,—even the term of forty days became prolonged, owing at first, perhaps, to the neglect of magistrates in not seeing that the oath of abjuration to forsake the realm was carried into effect;—the consequence of which was, that the offender, if he chose, might spend a whole lifetime

in a sanctuary, provided that he abjured his liberty and a free habitation,—in which resolve he was powerfully fenced by the privileges of the church. Thus, if any one, in the attempt to apprehend an offender, violated the precincts of a sanctuary, he was, if a layman, excommunicated; and, if a clerk, deemed irregular.

Owing, probably, to some extraordinary privileges of a very ancient date conceded by the church and the state conjointly, which history has not recorded, Manchester, from a very early period, was considered as affording particular conveniences to offenders against the laws, in the number of sanctuaries which the town contained;—these having been specially fitted up for the reception of culprits, to whom, in the quality of pensioners, was furnished, during the interval of forty days, or longer, a welcome bed and board. Certain of the chaplains are thus supposed, by tradition, to have derived no little emolument from the fees paid by culprits,—many of them, doubtless, of a very flagrant stamp. To these resources for accommodating fugitives, others were added. As not only churches, but church-yards also, afforded the privileges of sanctuary, ample space of ground would be afforded to persons seeking the protection of the church in the glebe and cemetery, extending from St. Mary's-gate, or even farther north, to the south of Aca's-field [Saint Ann's-square], where, during the term of their seclusion, they might enjoy, to a certain degree, the means of exercise and recreation.

Each house of entertainment fitted up in Manchester for the reception of offenders against the civil laws, had a chapel and altar attached to it, to which inmates could fly at the shortest notice. A few years ago, during the operation of widening the very narrow street of Manchester, named "the Smithy-door," the internal structure of one of these sanctuary houses was fully disclosed, which has been described by Mr. Palmer, who, however, has omitted to notice the tradition regarding it;—he has merely imagined it to have been the chauntry founded by Robert Greslet, of which Aca was the first incumbent. According to this architect, the edifice, which was situated in the north-west corner of the Black Swan tavern, in Smithy-door, was "constructed with timber and plaster, having a deep recess on the east side, apparently for the reception of an altar, beneath an oriel window, wherein was found the head of the virgin carved in wood." The description is certainly in accordance with the tradition, that the chapel was attached to a house, "of timber and plaster," fitted up for the reception of sanctuary refugees. Mr. Palmer, however, who saw nothing more in the edifice than a chauntry, has availed himself of another tradition, that to this

chapel was added a cemetery, the site of which was the present Old Shambles. Most certainly, the existence of a cemetery might, or might not, have been the case;—but, unluckily, as the author is obliged to admit, not a bone in it was discovered, during the course of a late excavation, which could be identified as human.—[History of the Foundations of Manchester, vol. ii, p. 232.]

A remaining question is;—were the lands granted to Aca, by the fifth baron, ever applied to the support of this particular chapel or chauntry? The affirmative has been the supposition of Mr. Palmer, but I need scarcely add, that there is not a shadow of evidence, positive, or even traditional, to give countenance to such a conjecture.

A second place of sanctuary in Manchester, according to a very old tradition, was in the vicinity of Hyde's-cross. But where it stood, cannot now be pointed out.

A third was, perhaps, in the Old-millgate, the architecture of which was surveyed by Mr. Barrett, in the year 1777, upon the occasion of widening the street. But some arms sculptured on the building rather indicated a foundation of a much later date, than that of the Greslets.

It is needless to remark, that sanctuaries met with no favour from the legislature. A sanctuary was regarded, in the language of the fearless reformer of the fourteenth century, as a privilege which only served to perpetuate nests of thieves. "Wicked men," says Wycliffe, "open thieves, known murderers, and such as have borrowed their neighbour's goods and are able to make restitution, dwell thus in sanctuary, and no man may impeach them by process of law."

§ 4. THE COMPLAINT REFERRED BY THE CHURCH OF MANCHESTER AGAINST ITS SUCCESSION OF RECTORS.

The exact words of complaint used a century later, to prove the necessity of obtaining a new ecclesiastical foundation for the church of Manchester, by which it became collegiate, were to the following effect: "*Ecclesia de Mamcestre largam et amplam habens parochiam atque multum populosam temporibus retrocitis per rectores consueverat regi et gubernari, quorum aliqui nunquam, aliqui perraro personaliter residere curarunt in eadem.*"

That the complaint was a just one, is shewn in the later exertions of patronage under the Greslets. Notwithstanding the avidity with which the pope's legate laid his hands upon vacant benefices, in order to render them subservient to papal provisions, a suspicion can scarcely fail to arise, that there must have existed some great indifference

on the part of the Greslets, in not more manfully defending the rights of the church of Manchester, of which they were the true patrons.

But even these explanations fail in conveying to us a correct statement of the causes which led to the privations affecting the church of England from non-resident rectors, nor have they, perhaps, been explained by any writer whatever, with the exception of Strype, the ecclesiastical annalist. The complaints uttered by this honest historian against the English church about the time of the Reformation, apply with double force to the period of Edward the First, antecedent to the protest of a Wycliffe, while exposing the pastoral abuses and neglect of his time. "Many of the prelates and inferior clergy," says Strype, "were continued in secular employments, which the soberer part of the nation much disliked, because by this means their flocks were left without due care of them. Many were occupied in the king's affairs;—some were ambassadors, and some of the privy council, and some furnished the court, and some were presidents (as of Wales), and one was comptroller of the Mint." But the fact was, according to this historian, "that the nobility was placed in such ignorance, that the king was forced to employ the clergy, among whom was the learning and the best abilities."

With regard to William de Marchia, or de la March, whom Thomas Greslet complained of as usurping the church of Manchester during his minority, he was a treasurer of England from 1291 to 1295,—in great favour with Edward the First, and spending most of his time at court, even while he held the rectory of Manchester. It is thus impossible to arrive at any other conclusion but that, owing to the ignorance of the nobility, the learning and talents of William de Marchia had recommended him to one of the highest offices in state, for which he was paid by the enjoyment of a plurality of benefices in the church.

The remaining portion of William de Marchia's history is as follows:—In 1292, upon the death of Robert Burnell, he was made bishop of Bath and Wells, when, by an addition of royal favour, he obtained a grant of two fairs for the lordship of Bath. He died June 11th, 1302, and was interred in the south transept of the cathedral of Wells.

William de Langton, the successor of William de Marchia in the rectory of Manchester, which he is suspected to have originally owed to a provision of the holy see, was in no less esteem with Edward the First, and, as a consequence, would be rarely absent from court. The rectory of Manchester would, therefore, still continue without the presence of a head, and neglected. This

benefice he gave up on being elected bishop of Coventry and Lichfield. Along with this see, William de Langton held the office of lord treasurer. He is lauded as a munificent benefactor of the cathedral and city of Lichfield.

At the time when William de Langton was bishop of Lichfield, the king's sentiments became known regarding the independence of England, and the necessity of resisting papal usurpation. In this resistance he appears to have been supported by William de Langton, who, in the course of his episcopal functions, took measures with his diocese for the more cautious distribution of the benefices of the church. For instance, the presentations to the rectory of Manchester began from this time to be regularly entered in the archives of the cathedral, along with the name of the patron and the cause of the presentation, whether by the resignation or death of the former incumbent, or otherwise.

In 1299, we find Otto de Grandison appointed rector of Manchester. Of this priest, we know little, but it is to be feared that he was not a resident in Manchester. Subsequently, he quitted the church, served in the wars, and afterwards married, leaving issue, Thomas, who succeeded to the barony of Grandison.

Regarding Walter de Langton, the former rector of Manchester, and subsequently bishop of Lichfield and Coventry, it may be of interest to continue his history. Upon the occasion of the death of Edward the First, in the thirty-fifth year of his reign, he was made the king's chief executor, but having, during the reign of his late master, punished the heir apparent for depredations committed on the bishopric, by counsel of Piers of Gavast, a squire of Gascony, Walter de Langton fell under the royal displeasure, and, in the first year of the reign of Edward the Second, was arrested, sent to the tower, and deprived of all his temporalities.

Of other rectors of Manchester, the name of Albert de Nevill, who lived in the reign of John, is the only one on record. He appears to have been employed, in the county of Rutland, in adjusting a secular dispute for Robert Greslet.—[Rot. Cur. Reg., vol. ii, p. 184.]

§ 5. DEMISE OF THOMAS GRESLET.

Although in the year 1307 Thomas Greslet had made over his barony of Manchester to his sister and brother-in-law John la Warre, he was summoned to parliament and the wars from 1307 to 1313.

Thomas, the eighth and last baron of Manches-

ter of the family of the Greslets, died in the seventh year of Edward the Second (A.D. 1313), in his thirty-fifth year. The place where he ended his days is perfectly unknown;—possibly at the abbey of Dore, in Herefordshire, of which more hereafter.

Part Fourth.

ECCLESIASTICAL HISTORY OF MANCHESTER DURING THE BARONIAL SWAY OF THE FAMILY OF LA WARRE.

As the descendants of John la Warre, by his marriage with a sister of the last of the Greslets, were destined to be the future lords of the barony of Manchester, the introduction of this family into our local history will be prefaced by a brief summary of their genealogical history, down to the time when John la Warre married Joan, sister of Thomas Greslet, baron of Manchester.

Although the family of La Warre is said to have dated from the Conquest, little is known regarding it until the year 1204, when King John rectified a grant made by him, when Earl of Gloucester, upon John la Warre of the lordship of Bristol, and, in the eighth of the same reign (1206-7), the manor of Wickwar, in Gloucestershire, deriving its name from the same grantee, was, under similar circumstances, conferred upon this baron. John la Warre is supposed to have died about the year 1212 or 1213, leaving behind him a son and heir, Jordan de la Warre.

Jordan de la Warre paid two hundred marks for livery of his lands. In the 17th of John (1215-6), having made common cause with the barons against their monarch, he gave to the king two palfreys for his fine, along with pledges for his future fidelity. In 1265, he engaged in the extensive conspiracy fomented by Simon Montfort, the Earl of Leicester, and other great lords, against Henry the Third, when his lands suffered escheat, which he was allowed to redeem with a considerable fine. Jordan la Warre is said to have married Isabel, daughter of Sir Payne Peverill, knight.

John la Warre, his heir, in the 57th of Henry the Third (1272), possessed, with other lands, Alwaston and Winterborne. But the history of the family is at this period obscure.

Roger, son of John la Warre, succeeded to the possessions of the house. He married, early in life (about 1278), Clarice, daughter and co-heir of John, Baron Tregoz of Ewyas Harold, Co: Hereford, who brought with her the honour and castle

of Ewyas Harold, and other large possessions in Somersetshire, Wilts, Herefordshire, Northamptonshire, and Salop.—In the 10th of Edward the First (1281-2), he was in the expedition into Wales, and had the scutage of all such of his tenants as held by knights' service.—In the 13th of Edward the First (1284-5), he obtained the king's license for a weekly market in the honour of Wickwarr, in Gloucestershire, with other privileges.—In the 15th of Edward the First (1286-7), he was required to attend the king with horse and arms at Gloucester, and, in the 22nd of Edward the First (1293-4), was summoned to a council of the king, and also attended at Portsmouth with horse and arms, and sailed into France.—Three years after this event, we first find the name mentioned of John, son of Roger la Warre, who, during the lifetime of his father, in the 25th of Edward the First (1296-7), accompanied his sovereign to Flanders. Subsequently to this inert and bloodless expedition against Philip of France, we continue to hear less of the exploits of John la Warre than of those of his father.—In the 26th of Edward the First (1297-8), Roger la Warre was governor of the castle of Burgh-on-the-Sea, in Gascony.—In the following year, on the 30th of September, 1299 (28th of Edward the First), he was ordered to Carlisle, on the ensuing feast of Saint John the Baptist, to serve against the Scots.—In the following year, he was at the siege of Carlaverock, on the Solway Frith, where he was celebrated by a poet of the expedition as “un vaillant home e de grant los:”—

Rogier de la Ware avec eus
Ung chivaller sage et preus
Ky les armes et vermeillectes
O blanc Lyon et croisseleates.

“With these was Roger de Ware, a wise and valiant knight, whose arms were red, with a white lion and crosslets.”—[Siege of Carlaverock, edited by Nichols, 1828.]—In 1301, Roger la Warre protested in Lincoln against the domination of the pope, and signed himself Roger la Warre, lord of Isefield. The seal was not appended to that document.—During the year succeeding, 31st of Edward the First (1302-3), we find John la Warre following the military prowess of his father, and attending his sovereign in the Scottish wars.—In the 33rd of Edward the First (1304-5), Roger la Warre had the care and responsibility of being one of the manucaptors for William de Montague, a prisoner of the Tower of London, and in the year following, the 34th of Edward the First (1305-6), preparatory to the great expedition into Scotland, —upon which occasion the king was anxious to win the support of his more powerful barons by con-

ferring honours upon them,—Roger la Warre was one who received the honour of knighthood by bathing.—Soon afterwards, John la Warre was required to attend the king at Carlisle, but, for some unknown reason, neglected to obey the summons. Edward, in his indignation at the absence of his vassal, which was without license, and without his having paid the usual fine, ordered him to be attached, and his lands and goods to be seized, which, upon his making amends, were restored. Roger la Warre was next summoned, and made some excuse, which, by the resolute and energetic monarch, was not deemed satisfactory. The baron was induced to pay the usual fine, and, in the same year (1306-7), to return to the wars.

But we now approach the year when Thomas Greslet made over to his brother-in-law, John the son of Roger la Warre, and to his sister conjointly, his barony of Manchester. Consequently, the history of John la Warre, rather than that of his progenitors, will demand our attention.

It would not be easy to assign a date to the time when a marriage took place between John, the oldest son of Roger la Warre, lord of Isefield, and Joan, the sister and heir of Thomas Greslet, by which marriage the barony of Manchester eventually passed to the possession of the family of La Warre.

In 1307, John la Warre, who had acquired estates in Shropshire and other places (having in 1302 obtained a grant to hold a court leet at the manor of Albrighton, in the county of Salop), was summoned to parliament, and soon afterwards was made knight of Bath.

It is of difficult explanation, why, at the close of the reign of Edward the First, a writ of exoneration should have been addressed to the collectors of scutages on behalf of Johannes la Warre, in respect of the lands and tenements formerly held by Thomas de Grele, deceased. Thomas Greslet might at that time have been enfeebled by some disease, or have taken monastic vows, which had led to the notion that he was defunct.

In the various inquisitions held about the year 1311, it would appear that John la Warre held the manor of Manchester by right of his wife from the lord the king and the Honour of Lancaster (or rather from the lord of the duchy). To this tenure was attached a service of lii^s. vi^d to be paid at the Nativity of John the Baptist, for the ward of the castle of Lancaster; likewise of iii^s. iii^d. as a “sake fee” [fine to the court baron] for five knights' fees and the fraction of another,—the payments to be made at the Nativity of the Lord, the Annunciation of the Blessed Mary, the Na-

tivity of John the Baptist, and the feast of Michael the Archangel.

In another document, the knights' fees, as formerly held by Thomas Greslet, are rated at five and a half, and one-twelfth, besides one-sixth of another held in eleemosynam by the prior of Saint Thomas, near Stafford, which was formerly held from the Honour of Lancaster by the heirs of Richard Hulton.—[For the documents, see Gregson's Lancashire, p. xlviii.]

CHAPTER I.

THE ALIENATION OF THE MANOR OF MANCHESTER TO THE ABBEY OF DORE, IN HEREFORDSHIRE.—FROM THE FOURTH TO THE NINETEENTH OF EDWARD THE SECOND.

No sooner did John la Warre come into possession of the manor, than he procured an alienation of it, along with other family possessions, to the abbey of Dore, with the exception of the rights of patronage to the churches of Manchester and Ashton, which were reserved. The alienation took place in the 4th of Edward the Second (1310-11).

The Cistercian abbey of Dore, in Herefordshire, situated not far from the confluence of the Dour and the Minow, about ten miles south-west of Hereford, was founded, in the time of King Stephen, by Robert, the youngest son of Harold, lord of Ewyas, to the honour of the Virgin Mary. Sibille Ewyas, his descendant, and sole heiress of the estates of Ewyas Harold, married Sir Robert Tregoz, whose issue, John, left two daughters, co-heiresses, the elder of whom, Claricia, married Roger la Warre. After this event, the white monks of Dore "in Ewis Land" became recommended to the family of La Warre, and more particularly to John la Warre, who enriched the abbey with new gifts.

In the inquisitio ad quod damnum, wherein a license for infeoffing, of the date of the 4th of Edward the Second, is granted to Johannes Ware, "pro abbate et conventu de Dore," the grant in favour of the abbey comprises manors in Salop, the marches of Wales, Lancaster, Lincoln, Gloucester, North Wales, &c. Among the Lancashire lands was the manor of Manchester.

There is little more than a conjecture to offer upon the motive of this alienation. Did Thomas Greslet assume the monastic habit, and had a bequest of land, conducted through the medium of his brother-in-law, John la Warre, a reference to his support during his seclusion in the abbey of Dore?

Whether it was originally intended that the alienation of these manors should extend beyond a certain number of years, is uncertain.

§ 1. THE ARMING OF VILLEINS, RECENTLY EMANCIPATED, AS WELL AS OTHER "LOW-BORN" MEN, UNDER THE NAME OF YEOMEN.

The bloody and protracted wars of this period were the cause of a most important change in feudal interests, by which was raised a class of men, who, in a later period, formed the most considerable portion of the commonality of England. When it was indispensable that men must be procured for the Scottish wars, base-born men, as they were invidiously named, that is, cultivators of the soil, or mere tenants at will, who, in a former period, had received the boon of manumission, had very small allotments of land given them in requital of military service, and that they might not be confounded with any "of gentle blood," wore for their defence, in place of steel armour, a buff coat of hide, or leather, and, as they were denied any heraldic honours, they were crestless. In order, also, to obviate any further chance of this class being confounded with well-born warriors, a name was attached to them still indicative of servitude, but, implying in its meaning, that they were keepers or protectors of the barony, or manor of the lord, from its foreign enemies. That this was the original meaning of the word yeoman (the name allotted to these soldiers of vulgar descent), is evinced from the acceptance in which the word "yeme" was understood, signifying to take care of, to attend, or to keep in custody, and hence, by yemen, or yeomen, was meant keepers or protectors, as is shewn in the metrical poem of Sir Tristrem, written in the year 1250:

"Yvel yemers er we."

—[See the metrical romance of Sir Tristrem, edited by Sir Walter Scott, p. 49; also the Glossary to the same, in voc. "yeme," "yemen," and "yemyng."]

In fact, the custom of giving the name of yeomen to a sort of middle rank of domestic servants, was familiar in the time of Chaucer, whence the eligibility of the term, as applied to tenants of the class of husbandmen, appointed to follow their masters to the wars, or for any other service requiring arms for defence. For instance, the squire's yeoman is represented as armed;—

He was clad in cote and hode of grene;
A shefe of peacock arwes bright and kene
Under his belt he bare full thriftily:
Wel coude he dresse his takel* yemanly.

* Arrow.

His arwes drouped not with fetheres lowe,
And in his hond he bare a mighty bowe

Upon his arme he bare a gaie bracer *
And by his side a sword and a bokeler,
And on that other side a gaie flaggere
Harneised wel, and sharp as point of spere.

* Armour for the arm.

From an *extenta manorii*, which bears the date of 1322, but which relates to the state of the manor in the time of Thomas de Greslet, it will be shewn that a knight's fee was liable to be carved out into fractional parts, in order to be distributed among various small tenants, who thus became advanced to the rank of yeomen. To these industrious, yet restless yeomen, the commercial prosperity of Manchester was eventually due.

§ 2. CERTAIN KNIGHTS' FEES BELONGING TO THE BARONY OF MANCHESTER ARE BROKEN UP INTO FRACTIONAL PORTIONS, IN ORDER TO INCREASE THE NUMBER OF MEN REQUIRED FOR THE WARS.

In the 2nd of Edward the Second (1308-9), the county of Lancaster had been summoned generally for the defence of the Scottish marches. Two years later, three hundred foot soldiers were ordered to march from Lancashire at the feast of the Nativity of the Virgin (the 8th of September), to assemble at Berwick-upon-Tweed;—which requisition was followed up at the expiration of other three years, by five hundred more being required to march against the Scots. They added to the numbers of the English army, who were defeated at Bannockburn. In the 10th of Edward the Second (1316-17), all able-bodied men in Lancashire, between sixteen and sixty, were ordered to be raised for the purpose of resisting the Scots, in case they should invade the kingdom; but, in the course of two years, offensive operations were resumed. The barons or tenants in capite, to the number of one hundred and twenty-eight, were commanded to muster at Newcastle with horses and arms to proceed against Robert de Brus. Writs were also sent to the mayors of various privileged Lancashire towns, to send the king as much money as they could afford against Scotland, under the name of a "loyalty loan;"—which corporate contribution was independent of the collection of the eightieths, and the scutage of two marks for each knight's fee.—[Baines's Lancashire, vol. i, p. 275-6.]

As there was a requisition at this time for more armed men than a baron, or a lord could well supply as his quota, it was found necessary to break down knights' fees into fractional portions, and, thereby, to secure more soldiers to the use of the king. This is shewn in the *extenta manorii* of

Manchester, taken in 1322, which, however, relates to the proceedings of this particular period.

It was estimated, for instance, that within the upper and lower bailiwick of this barony, there were four and a half knights' fees, and, in addition, one-fourth and one-fortieth part of a knight's fee. These were divided among numerous tenants in fractional parts, varying from one-half to one-fortieth, with the exception of one integer knight's fee which was granted to Nicholas Longford, for Withington. The reason for estimating these fractional parts is sufficiently evident. If an integer knight's fee, such as that of Nicholas Longford, required a definite talliage, or a definite number of men for the service of the country, half a fee required half the amount, or the fourth of a fee, the fourth of the amount, and so on, until was reached a fortieth part.

We find these various fractional divisions of knights' fees distributed to tenants throughout most parts of the barony. In the Amounderness hundred, Robert de Lathom held the thirteenth part of a knight's fee by John de Brockholds, and in the barony of Widness, belonging to the West Derby hundred, he held Childwall, including Alretune, for half a knight's fee.—In the Leyland hundred, we perceive Robert de Holland holding one half of a knight's fee in Parbold and Dalton, by Richard Walch and the prior of Burscough. In Withington, Robert de Lathom and John de Kirby held half a fee. The same fractional amount of land was possessed by William de Worthington, for Worthington and its members.

In the lower bailiwick of Manchester, Nicholas Longford held one knight's fee for Withington with its members, while half a knight's fee was held conjointly by the tenants of Barton-upon-Irwell, Irwelham, Hulme, Bromehurst, Newham, Withington, Maunton, and Wychilswyke, who possessed among them eight bovates of land.

There can be no doubt that the various tenants who shared among them half a knight's fee, or eight bovates of land, were of the rank of yeomen,—a name, as I have already explained, given to a middle rank of domestic servants when armed by their masters for defence; as, for instance, like the squire's yeoman of Chaucer. But so great was the reluctance to employ menials in the army, that it was never subdued until the Scottish campaigns had so thinned the ranks of our English gentry, that it became absolutely necessary to fill up the vacancies with recruits selected from among that class of dependents, who had hitherto been incapacitated, by their birth and menial employments, from bearing arms. It was from the class of recently emancipated villeins, named bondage te-

nants, that a careful selection was made of yeomen, who, notwithstanding, were such novices in their new profession, that, at the battle of Mytton, which occurred in the year 1319, the Scottish troops stigmatized them as

"Husbandmen that could nothing in wer."

Such are the comments suggested by the manorial record, that the tenants of Barton-upon-Irwell, Irwelham, Hulme, Bromihurst, Newham, Withington, Maunton, and Wychilswyke, possessed among them [as "lusty yeomen"] eight bovates of land.

§ 3. JOHN DE DEKORDEN (PERHAPS VORDEN)
RECTOR OF MANCHESTER.

In the extract by the Holmeses from the Lichfield cartulary, the presentation appears as follows:

p. 156. Registrum Roberti de Rideswell
 Archidiaconi Cestriensis
1313. 6 Edw. II. Manchester. 9 Kal Febr Johannes Dekorden.
 Patr. Jo. la Ware miles.

It has not unfrequently been a question,—If by John Dekorden, John de Kuerden was not meant? Cuerden being a village in Lancashire, about two miles south of Walton-le-Dale. Hollinworth, however, who had access to some original document, sets down the rector as "John Deeverten," which I should conceive to be nearer to the true reading, and, as such, I am inclined to suppose that by the name Johannes Dekorden, was meant Johannes de Worden, variously spelt Werden, or Wearden,—the cognomen, by the way, of a prebendary of Lincoln of that time.

The genealogy of this rector is uncertain. The name "De Verdun," was that of the benefactors of Crokesden Abbey, in the county of Stafford. I once conjectured that a family of Worden, or Werden, so stiled from a town of that name in Holland, or in Westphalia, might have been introduced into Manchester, whence the origin of the thriving house of Worden, or Werden, very early settled there, and dating, perhaps, from the arrival of the Flemings for the purposes of commerce. I also find in one of the Lancashire pedigrees, mention made of the Faringtons of Worden, Werden, or Wearden.

But, upon this genealogical question, we do not appear to possess sufficient data for a decision.

A proof is afforded us, from the Lichfield cartulary, that although the manor of Manchester was alienated to the abbey of Dore, John la Warre reserved to himself the patronage of the church.

§ 4. ADAMUS DE ARDNA, RECTOR OF ASHTON.

Adamus de Ardena is registered as rector of Ashton between the years 1305 and 1324; but

the time of presentation, the name of the patron, and the cause of vacancy, are severally left blank.

With the family connexions of this rector we are unacquainted. The Ardens of Alvanley Hall were an ancient family of Cheshire.

§ 5. JOHANNES DE ARDNA AND HUGH DE MYLNEGATES, CHAPLAINS OF MANCHESTER.
—TENTH OF EDWARD THE SECOND.—[A. D. 1316-17.]

From the following document, kindly communicated to me by the learned editor of the *Notitia Cestriensis* of Bishop Gastrel, the Rev. F. R. Raines, M.A., Incumbent of Milnrow, near Rochdale, we find that another individual of the name of Arden was connected with the church of Manchester, as chaplain:—

Sciatis &c nos Willielmus filius Petri de Mamcestria et Johanna uxor mea dedimus concessimus &c. Domino Johanni filio Ricardi de Ardena capellano hereditibus et assignatis pro octo marcis nobis ad urgens negotium nostrum unum burgagium edificatum in villa Mamcestrie jacentem inter burgagium Avicie filie Ricardi filii Ranulphi ex parti una et burgagium Sireldis filii Jordani ex parti altera Habendum et tenendum de capitalibus dominis fedi per servicia. Hiis testibus Nicholao de Ardena tunc capitali seneschalo Domini Johannis la Warre tunc Domini Mamcestrie Johanne de Hulton tunc ballivo Mamcestrie Adam de Radeclive tunc receptore Roberto de Ashton Roberto filio Roberti filio Simonis Hugone le Barkere Johanne le Tailloure Thoma Ffabro et aliis Datum apud Mamcestriam 10 Julii, 10 Edw. iiii.

In the above interesting deed, wherein a burgage is conveyed to a chaplain of Manchester, John, the son of Richard de Ardena, for the sum of eight marks, information is acquired of the names of certain manorial officers, as well as of certain inhabitants of the town. But the most remarkable circumstance is, that although the manor of Manchester was then alienated to the abbey of Dore, John la Warre should have had the title of lord of Manchester given to him.

Again,—from other documents (examined by the Rev. F. R. Raines), of the dates of the 10th, 15th, and 19th of Edward the Second, we learn that Richard, son of Hugh de Mylnegates, was chaplain of Manchester.

§ 6. THE DEATH OF ROGER, FATHER OF JOHN LA WARRE.

Roger la Warre was a brave soldier, seldom absent from the field of glory, or from the councils of his sovereign. In the 8th of Edward the Second, he had summons to repair with horse and arms to Newcastle-upon-Tyne, there to restrain the incursions of the Scots. In 1320 (14th of Edward the Second), he ended a most honourable and active life. His arms are thus recorded:—Gules, semée of cross crosslets, a lion rampant argent.

With the exception of Roger la Warre's son and heir, there may, perhaps, be some little ob-

security regarding some of his immediate descendants. That the ancient house of Wares of Hestercombe, in Somersetshire, descend from him there is no doubt. According to Harris, in his edition of Ware's works, another branch was claimed by Sir James Ware (the historian of Ireland). This was, probably, from Nicholas de Ware, temp. Edw. I.

§ 7. THE EARL OF LANCASTER'S REVOLT AGAINST THE KING.

In the 4th of Edward the Second (1310-11), the marriage of Thomas, Earl of Lancaster, the eldest son and immediate successor of Prince Edmund, with Alice, sole daughter of Henry de Lacy, Earl of Lincoln, had transferred the castles and lands belonging to this ancient family, including estates in Blackburnshire and other parts of Lancashire, to the house of Lancaster. The Earl of Lancaster having immediately afterwards entered into a conspiracy with various noblemen against Piers de Gaveston, and subsequently against the king, for having sanctioned an injustice of Hugh de Spencer, who succeeded to the Gascon as the king's favourite, civil ruptures ensued, which, perhaps, raged nowhere so hotly as in the county of Lancaster. In the mean time, Adam de Banistre, with a numerous band of adherents, invaded the lands of Thomas, Earl of Lancaster, but was defeated near Preston with a great loss of life. The victors then plundered the dwellings of the subdued followers of Banistre, particularly in the hundred of Layland, and caused the houseless inhabitants to resort to begging, or to plunder, for their precarious means of subsistence. Eventually, in the 15th of Edward the Second (1321-2), the Earl of Lancaster was defeated and beheaded.

§ 8. THE CIVIL AND ECCLESIASTICAL DISTRACTIONS PREVAILING IN LANCASHIRE AT THIS TIME.

Lancashire had never before suffered from so many internal distractions as during this period.

The first cause of these had been the discouragement given to peaceful industry, by the demand of men for the Scottish wars. The land was then teeming with an important class of freeholders, named yeomen, the term having been derived, as I have already shewn, from the distinction given to such domestics as were retained for the especial purpose of defending their masters, whom they now accompanied to the battle-field against Scottish or French foemen. The honourable occupation thus allotted to English yeomen had advanced them an important step in the social scale. Although they were inferior to free tenants of good

birth, between whom a strong line of demarkation was intended to be drawn, yet they were superior to bondage tenants, synonymous with tenants at will, or tenants in villein socage. It was in the circumstance of dress and accoutrements that the yeoman differed from the free tenant, who had family claims to gentility, by which he became entitled to bear arms. The yeoman fought on foot, and, in the place of steel body armour, which would not only be too ponderous for him, but would even confound all gentilitical distinctions, he was clad from top to toe in a garb formed of a capull hide, or horse hide, difficult of penetration, while, at his side, he wore a sword and dagger, and also carried with him a bow and quiver. This is evident, from the account given of the "wight yeoman" in the ancient ballad of Robin Hood:—

A sword and dagger he wore by his side,
Of many a man the bane;
And he was clad in his capull hide,
Top and tall and mayne.

And, again, in the costume of the popular freebooter himself, who was a yeoman, it is added:—

Robin did doff his gown of green,
And on Sir Guy he did it throw;
And he put on that capull hide
That clad him from top to toe.
The bow, the arrows, and little horse
Now with me I will bear,
For I will away to Barnesdale,
To see how my men may fare.

Such were the yeomen in the time of Edward the Second, many of whom, in their impatience for a continuation of the scenes of plunder and devastation to which they had been inured in the course of Scottish wars, became, in the language of the proclamations issued forth, "notorious thieves, to the injury of the peace and the danger of the property of their well-disposed neighbours." This state of demoralisation had been increased by the ineffable disdain which the yeomen had gradually acquired towards the vulgarity of peaceful occupations. Accordingly, in sallying forth, accoutered in their distinctive garb, from stirring campaigns to the dull monotonous quiet of tillers of the land, they exchanged habits of husbandry for an organised state of outlawry, resembling that of their ideal prototypes of Sherwood Forest.

Instar Robin Hood et servi
Scarlet et Ioannis Parvi,
Passim, sparsim, peculantur,
Cellis, sylvis, depradantur.

DRUNKEN BARNABY'S TRAVELS.

Another cause of the civil insubordination which prevailed in Lancashire has been already described. Estates cultivated by villeins had failed in their

means of support to keep pace with an increasing population. Notwithstanding the stringency of the laws which enacted, that lords should be responsible for the illegal acts of their bondsmen, if they were in any degree cognizant of them; and that no one was to allow his villein, or any other in his employ, to leave him until purged from all charges,—it so happened that every locality teemed with disorderly bodies of vagrants, committing numerous acts of lawless outrage.

During this unparalleled state of anarchy, we find the Saxon system of mutual pledges resorted to, within which all resiants were compelled to enrol themselves. Upon any individual being placed in decenna, that is, under the mutual responsibility of ten householders, he could not withdraw himself when he chose. No one, also, of the age of fourteen, or above, could remain in the realm above forty days, without being first sworn to the king by an oath of fealty, and received into a decenna. Every clergyman, also, was obliged, upon admission into orders, to find twelve persons to be bound, or in bail for him, analogous to the pledges given by the laity in the court leet.

The consequences of an infraction of the ancient system of mutual pledges have not yet been described. Upon the failure of a pledge, the weapon and goods of a delinquent were to be taken in trust by his friends, and he was to be committed to custody for forty days. If charged by the commonalty of the country with felony, he was required to depart the kingdom within forty days;—and if, in the mean time, he should die, he was to be unrevenged. If he fled, after committing a felony, excommunication followed, while the family of the offender, and even the decenna to which he belonged, might be amerced. Lastly, if any one harboured an outlaw,—*lupinum enim gerit caput*,—or an excommunicated person, he might expiate the offence with loss of life and possessions.—[Merewether and Stephens, p. 609, 614, &c.]

The last cause of the disordered state of Lancashire may, perhaps, be referred to the ascendancy of military habits, whence the dull routine of a private life was rendered intolerable to such as had been inured to stirring campaigns. Knights, squires, and yeomen, were promptly marshalled in the field of civil warfare, armed with swords, daggers, bows, and arrows, having been incited by the harangues of seditious priests, among whom was Robert de Cliderhou, parson of the church of Wigan, who preached before all the people, telling them that they were the liege men of the Earl of Lancaster, and bound to assist him against the king.

During these distractions, the privileges of sanctuary screened both ecclesiastics and laymen. Such was the influence of the church, that no edicts could be carried into effect capable of meeting clerical disorders, except such as were tame, indecisive, and susceptible of evasion. Of these were the inert provisions of the act of 1315 [*circumspecte agatis*], that the privilege of sanctuary should not be denied to a clerk who had confessed felony, and that if a clerk, fleeing to the church for felony, affirmed himself to be a clerk, he should not be compelled to quit the realm, but, on yielding himself to the law, should enjoy the privilege of the church, according to the laudable custom of the realm hitherto used:—lastly, that persons actually abjuring the realm should be in the king's peace while on the highway or in the church.—[Tierney's ed. of Dodd's Church History, vol. i, p. 331, where the statute is given.]

Insubordination had, at length, attained its greatest height, and although, in the 17th of Edward the Second, a commission of array had issued forth to pursue and arrest all assemblages of armed men, knights, and esquires, but more particularly yeomen, yet the interdict was despised, even though the prisons of Lancashire began to be filled with licentious inmates.

The active minds of the yeomen, indignant at the feudal tyrannies from which they had in part emancipated themselves, and commiserating the hard fate of husbandmen, who, while they "tylled with the plough," were still oppressed with the cruel restrictions imposed upon them by the condition of native villeinage, or by bondage tenures,—waging war also with the corrupt jurisdiction of high sheriffs, with the pride and avarice of abbots and archbishops, with the extortions exercised by the archdeacons, ordinaries, or other officials of bishops' courts, while enforcing, under the awful penalty of excommunication, their dimes, their procuracy, their mortuaries, and other ecclesiastical dues,—being, likewise, still farther goaded by the odious laws of the chase, which, during the periodical visitations of famine whereby the land became fruitless, monopolised a great portion of arable ground, which was thus withheld from the means of administering support to the starving families of toiling husbandmen,—these intolerable grievances incited to the hazardous profession of plundering the numerous forests of preserved deer, whether they belonged to rich barons and earls, or even to the liege sovereign. A hue and cry was raised, and

They were outlaw'd for venison,
These yeomen every one.

Yorkshire and Lancashire afforded the most favourite fields of adventure for the exploits of Robin

Hood and his bold yeomanry, who, like the General Lud, or Captain Rock of modern days, were nothing more than ideal personages, embodied by vagrant minstrels in the form of ballads, and expressing the restlessness of the mind, that the tendencies of man's noble nature was not satisfied,—and that none of the illusions, which in the profundities of the human soul had hitherto slumbered, were yet realised.

They Yorkshire woods frequented much,
And Lancashire also,
Wherein their practises were such
That they wrought muckle woe.

In solid content together they liv'd
With all their yeomen gay,
They liv'd by their hands, without any lands,
And so they did many a day.

ANCIENT BALLAD OF ROBIN HOOD.

§ 9. DECLINE OF THE OFFICE OF RURAL DEANS.

The causes to which the decline of this office was attributable may be enumerated as follows:—

1st, The ignorance of rural deans in the canon laws;—2ndly, Their inability to resist the encroachments of the civil power;—and 3rdly, The necessity which subsisted of appointing churchmen of greater learning and influence, as, for example, archdeacons, to execute the declining office.

In considering these causes, I shall begin with the first of them, namely, the ignorance of deans rural in the principles and practice of the canon laws.

The rules and laws which the church, as a society of Christians, had from the second century commenced making in the form of provincial constitutions, or synodals, to which was added glossaries, the sentences of popes, summaries, and rescripts, &c. &c., began to be first collected about the early part of the twelfth century, and having been corrected by Gratian, a Benedictine monk, were published in England in the reign of Stephen. To these was added a compilation of the decretals, or the canonical epistles, written by popes and cardinals to determine any controversies, the first volume of which was published in the year 1226, and was appointed to be received for law in all ecclesiastical courts, and to be read in the universities of Cambridge and Oxford. A second volume of the decretals was published and introduced into England in the year 1298, and a third in the 2nd of Edward the Second, 1308. These foreign canons severally obtained in England the force of statutes, in all cases in which they did not militate against the prerogative of the king, or against the laws of the land. To this foreign portion of the *jus canonicum* was added that which was purely

English, consisting of the several laws and constitutions designed for the government of the church, by the assent and confirmation of the kings of England, which were made at councils held at Oxford, London, Reading, Lambeth, and other places, from the time of William the First, but more particularly during the successive reigns of Henry the Third, and Edward the First and Second, under the direction of various legates of the pope and archbishops.—[See Dr. Hook's *Ecclesias. Dict.* in voce canon.]

From this historical summary it will be evident, that in the reign of Edward the First and Second, a knowledge of the canon laws, as studied in the universities of Oxford and Cambridge, began to be considered, in all courts Christian, as an indispensable qualification for the administration of justice. As it was found, therefore, that, in the probates of wills and in matrimonial pleas, or causes, the deans rural had frequently overstepped the limits of their office, the interference of canonists was judged necessary for the purpose of compelling them to keep within the acknowledged bounds of their proper jurisdiction. By these canonists the rural deans were pronounced to be unfit for their office;—they were “*juris ignari*.”

A second cause of the declining functions of “*deans rural*” may be traced to the encroachments of the civil over the spiritual jurisdiction of the land, by which the most profound knowledge, skill, and subtlety, capable of being exercised by the well-disciplined canonist, became called into requisition. The cause of this state of spiritual jurisdiction was but too evident. The power of the court of Rome, in England, had begun sensibly to decline, and, as a consequence, the legates were under greater restraint. In proportion, therefore, to the diminution of the papal influence, the ecclesiastical jurisdiction became exposed to invasions made upon its privileges by the civil power, or by the king and civil magistracy, and thus the clergy were more and more drawn out of their own courts, and made subject to civil inspection. An instance of the prevailing practice of staying such proceedings, as, in a former period, were brought before spiritual tribunals, is afforded in the charter of Manchester. It was there insisted upon, that all clerks who might contract debts in the borough, which they were unwilling to discharge, should be arrested by the reeve, and brought before the portemanmote.

During this jealousy which prevailed in the public mind of the rights assumed by the church, all spiritual authority must have soon ceased, if a remonstrance had not been made by the most influential churchmen, which, in the 9th of Edward the Second

(1315-16), led to fresh articles, sixteen in number, being drawn up, under the statute "*circumspecte agatis*," specifying the cases in which the king's interference or prohibition did not lie. Of these was the excommunication enjoined for laying violent hands on a clerk, for which the offender might make a pecuniary compensation, while the amends for the peace broken was to be brought into the court of the king;—or the penance for defamation, enjoined by prelates, which was also commutable by money. Other questions, thus adjusted, related to tithes, to the sentences of spiritual courts, to the levying of ecclesiastical distresses, corodies, and pensions, to the examination of clerks presented to benefices, and to the privileges of sanctuary, &c. &c.—[Tierney's ed. of Dodd, vol. i, p. 137, and App., p. 331, where the statute is given.]

While these long contentions of the civil and ecclesiastical jurisdictions were going on, notwithstanding the framing of articles intended as a barrier between the two powers, the deans rural were particularly obnoxious to the government, as "*falcem suam in alienam messem mittentes*;"—as encroaching upon the rights and privileges of the crown, and intermeddling with matters temporal beyond their lawful jurisdiction, of which an instance has been cited by Mr. Dansey, wherein they even punished by imprisonment in a county gaol, in addition to the ecclesiastical penalty of excommunication. To this wanton and undue exercise of authority, it was high time that wholesome restrictions should be placed.

The third and last cause of the limitation of the decanal authority may be readily anticipated. It was the necessity which ensued of appointing churchmen, of greater learning and influence, to execute the declining office. Accordingly, in the language of a too indulgent apologist, Dr. Kennett, "then began the canonists to pretend themselves the only fit ministers in all courts of Christianity, and, under this character, insinuated themselves into the favour and council of the bishops, and so obtained the new titles of archdeacons, officials, and chancellors, and then run down the rural deans for men of ignorance and incapacity, that they might the more easily invade all the power and profits of their office." In the dioceses of most parts of England, the functions of the dean rural were in some degree absorbed in those of the archdeacon. "The archdeacons," adds Kennett, "by the advantage of a personal attendance on the bishop, were by him intrusted to examine and report some causes, and, by degrees, were commissioned to visit the remoter parts of the diocese, and so to exercise some other judicial power;

till, under the bishop's favour and protection, they encroached upon the rights and jurisdiction of the deans, getting first an ascendant, and, at last, by prescription, a superiority of office."—[See *Horæ Dec. Rur.* vol. ii, p. 103-5, from which these citations are given.]

By this archidiaconal intrusion, the primitive constitution of rural chapters was in every diocese altered, while, in some localities, it was eventually dissolved. To this gradual extinction, however, of the functions of deans rural, those of the archdeaconry of Chester, within which was the conjoined deanery of Manchester and Blackburn, may form an exception. The ancient authority to which the dean of Manchester laid claim over the ten parishes intrusted to his supervision, was, no doubt, greatly curtailed, and even cramped by the overwhelming ascendancy of archidiaconal supervision, yet still it was considerable. It owed its survival, no doubt, to the vast extent of the archdeaconries of Chester and Richmond, and to their distance from the episcopal see of Lichfield. Hence, a delegation of power to the two archdeacons, as well as to the rural deans acting under them, was considered indispensable to the discipline and well-being of the diocese.

The offices still remaining to be exercised by the rural dean of Manchester may now be stated:—

Of these, the first was the probate of wills. Dr. Newton [as cited by Mr. Dansey, from the MS. ledger book *penes Regist. Dioces. Cestr. W. Ward*] deemed the testamentary jurisdiction of decanal ordinaries so ancient in the diocese of Chester, as to be protected "by prescription, limitation, exception, and custom."

The prescriptive testamentary jurisdiction of the deans rural of the diocese of Chester was, on the 28th of October, 1652, pronounced by Sir Robert Wiseman to be as follows:—"The probates of wills when the estate is under forty pounds, the wills of knights and clergymen excepted;—calling for inventories and accounts;—granting administrations, the estate being under the same value;—and assigning curations for the ends aforesaid."

A second prescriptive office of the deans rural, according to Sir Robert Wiseman, was, "proceeding against all ecclesiastical offences and faylings (except adulteries and incest), enjoining penances and inflicting ecclesiastical censures, and doing such matters as are necessary dependencies upon the premises."

"All which," adds Sir Robert, "is to be limited to the compass of the said deanries, and to be extended no farther."—[*Horæ Dec. Rur.*, vol. ii, p. 77.]

A third office of the same rural deans, which long survived the extinction of these functionaries in other parts of England, was, to collect the synodals, pensions, and other dues belonging to the bishop.—[See Gastrell's *Notitia Cestr.*: edited by the Rev. F. R. Raines, vol. i, p. 27.]

We are, lastly, made acquainted, from the MS. ledger book of the diocese of Chester, that the rural deans, who previously to the year 1200 were removable at the will of their archdeacon, subsequently came to hold the office for life.—[*Horæ Dec. Rur.*, vol. ii, p. 409.]

§ 10. SURVEY OF THE BARONY, AND MANOR OF MANCHESTER, A. D. 1322.

During the reigns of Edward the First and Second, the government had not only suppressed the creation of any new manors, but had kept up a jealous surveillance over such as subsisted. In the year 1296, the borough and hundred of Salford, as held by the Earl of Lancaster, had been surveyed, and the profits of the lands of various townships carefully estimated, together with the rents of the town, including the tollage, stallage, farm of the water mill, assize, and the produce "of a toft near the bridge," amounting altogether to the sum of £40 5s.—[*Baines's Lancashire*, vol. ii, p. 143-4.]

The survey of the barony of Manchester followed in the year 1322. It has fortunately been preserved by Kuerden among his MSS. in the Chetham Library. As much of the information already given relative to the history of the barony and manor of Manchester has been derived from this document, which included the retrospective notice of customs, however remote they might have been in their origin, little more now remains for me than to notice the general nature of its contents. We learn from it the knights' fees contained within the barony,—the laws of the court baron,—and the regulations of the forests appropriated to the chase. These have been already explained.

Of other particulars contained in the extenta manorii, a brief notice will be sufficient.

In describing the agricultural features of the barony, the survey makes the usual distinction of forests, woods, moor or moss, meadow land, pasture and arable land, and it enumerates fisheries and mills. It explains particularly the bounds of the manor of Manchester, as included within the barony, and it conveys curious information relative to the condition of the town, or borough.

And, first, with regard to the agricultural state of the barony:—The woods were at Kuerdley, Alport, Blakelegh, and Horewich (each already described), at Bradford, and at Heton Norris.—Under the heads of moor and turbary, these were

to be found at Kuerdley, Openshagh, Haremooss, Whitmooss, Bromihurst, Halmoss, Hetonmooss, and Chatmooss, the last of which was shared with the lords of Barton, Astley, Workedly, and Bedford:—Waste and pasture land were to be found at Curmeschal, Denton, Wilderhurst, Newplecke, Bromihurst, Pullegrenes, &c.:—Of meadow land, little is mentioned; there was some at Aldport, Bradford, &c.:—Arable land subsisted in the greatest quantity near Manchester, as might reasonably be expected, of which there was near one thousand seven hundred acres; other cultivated sites referred to were at Barton, Heton Norris, Brydeshagh, Openshagh, &c.—A few privileges and customs are also mentioned; as, for instance, at Heton Wood and Moss, belonging to Heton Norres, where the tenants, who held in fee by charter, had "housbote and haybote" out of the lords' liberties.

Of fisheries,—the baron's right in the manor of Manchester extended upon both sides of the Irk and the Gorebrooke, but the Irwell is described as dividing the lord's demesnes from Salford, whence the fishery on the Manchester side (*piscaria sepe-ralis*) was named "a several fishery." Other several fisheries were at Barton, extending from Barton ford to Frith ford, and at Heaton-on-the-Mersey to the middle of the river from Grimesbotham up to Ditesbury. At Kuerdley, also, there was in the Mersey a several, or divided fishery, that is, a fishery divided between two or more proprietors, being confined to the side and length of the baronial lands. Upon the river with which it was watered, were placed kiddles,—by which term was meant a dam, or wear, with a narrow cut in it wherein pots were laid for the capture of fish.

From Barton ford to Frith ford, the lord had four ferries on the Irwell.

Of mills,—there was one at Kuerdley, turned by a rivulet of water which came from the moors and woods, and a windmill. There were, also, mills at Gorton, Barton, Heaton Norres, and Manchester.

In the next place, the document, in confining itself to the town of Manchester, regarded as the chief seat of an extensive manorial district comprised within the barony, most minutely lays down the boundaries of the same,—not a town, not a river, stream, lake, clough, moss, hedge, pale, orchard, or road, being omitted. In avoiding numerous details, the boundary line might be more generally stated to commence at the Brendorchard, called Walle-grenes, between Aldport and the rectory of Manchester. It then followed the course of the Irwell to Bosselclou, near Strangeways, in a direction between the Musies and Blacklach. Thence to the

middle of the Irke, to Coldwallerclo, to the top of Oxewall, between Manchester and Burgh town, to the Lowecasters, and by the middle of the stream of the Irke, to Akerenton. The Grisebroke was next followed, as well as the pales of Blakel Park, and the track between Notehurst and Rinthurst Moss, as far as Bradleybrucke, between Clayton and Oldham. The course then led to the bounds of Ashton-under-line, along the river Tame to Redish, to certain turf pits between Heton and Reddish, to the confluence of the Tame and Mersey, to the course of the Mersey, to Stretford Broke, and thence to Menshellach, Whittenton Clou, bounds of Chorleton, to the stream of the Cornebroke, and thence, between the manor of Hulme and Trafford, to the middle of the Irwell, to Over Aldport, the Brendorchard, and Manchester,—whence we started.

Some few particulars regarding the state of the town may next be noticed.

In the time of Thomas Greslet, the old mill situated in the fosse to which the street named the Old Millgate led, appears to have been deserted, in the place of which the burgesses resorted to a mill turned by the river Irke, to which a long lane conducted,—still named from its greater extent “The Long Millgate.”

The obligation to grind at the newer mill was imperative not only on the burgesses and tenants of Manchester, but also on the hamlets of Ardwick, Openshagh, Curmesdale, Moston, Notehurst, Gotherwicke, and Ancotes. The toll was the sixteenth part with this exception,—that the lord of Moston was hopper free to the twentieth grain.

There was also a fulling mill on the Irke, and a common oven near the lord's court, at which, by custom, every burgess was required to bake.

The markets of Manchester were held every Saturday. A fair was appointed from the vigil of Saint Matthew the Evangelist, until the morrow of the same feast during three entire days. From fairs and markets, the annual worth in toll, stallage, &c., was £6 13s. 4d.

In the rental of Manchester we find rendered annually, one nag, or palfrey, one “sparhawk,” one pair of spurs, two knives without sheathes, two cloves, and three pair of gloves, said to be together worth forty-one shillings and seven pence.—[Another account says one clove only, and makes the summary forty shillings and seven pence.]—The payment at the feast of Saint Matthew was twelve pence; at Christmas £8 4s. 0½d.; at Easter one clove; at Saint John the Baptist's day £10 12s. 8d.; and at Michaelmas £8 13s. 0½d.

Altogether, Manchester rendered yearly £37 17s. 0½d.

Such was the manorial state of Manchester after the inhabitants had divers civil immunities guaranteed to them by the late charter of Thomas Greslet. Instead of remaining oppressed with feudal restrictions, bordering upon those of villeinage, and only differing from them in the law-worthy immunities enjoyed under the view of frank pledge, the burgesses of Manchester had at length acquired the boasted rights of the English freeman, which resolve themselves into the following summary:—

The English freeman derived his political and civil state, which assuredly was not that of an unqualified freedom, from the circumstances of birth, marriage, and absence from any base services incompatible with the freedom which had imparted a glory to his name. But he was restrained to a fixed residence, and was, thereby, distinguished from such as wandered about from place to place without having given in their pledges, or having been sworn to their allegiance, and who, in strictness of language, were vagrants, outlaws, or “broken men.” He was, in the next place, required to be law-worthy; that is, he was punished if after twelve years of age he did not submit to the jurisdiction of some hundred, decenna, or borough, when he was required to be put under pledge, and to be charged by oath to abide the law. And, lastly, he was required to contribute to the public charges, by paying, with all other freemen, his scot, and by taking his share in the public burdens, or lot, that is, by serving, in his turn, in the wars, by keeping watch and ward, and filling in succession the public offices which were required for the state generally, or locally for the borough where he might reside.

§ 11. ADAM DE SOUTHWICK, RECTOR OF MANCHESTER, A.D. 1323.

In the list of institutions from the cartulary of the bishopric of Coventry and Lichfield, we have the following record:—

p. 157
Registrum Magistri Galfr Blaxton }
Vicarii Generalis 6 Maii 1322 }
fol 3.

1323. 16 Edw. II. Mancestre Adamus de Southwick Clericus.
Patr. Dominus Johannes la Ware, Miles.

Dr. Ormerod has kindly given me the following information relative to this rector:—

“Adam de Suthwick was presented by Prince Edward in 1317 to the rectory of Rostherne after the death of Roger Venables, receiving possession in the person of John Suthwick, rector of Bangor.—Harl. MSS. 2071, p. 157.”

The value of the rectory in 1322, the year previous to the institution of Adam de Southwick, will be found in the extenta manorii of this date:—

“The church of Manchester, worth two hundred

marks, is at the lord's presentation, to which the Lord John de la War now last presented John de Cuerden, who having been instituted in the same, possesses the endowment, consisting of eight burghages in Manchester, and the towns of Newton and Kermonsholm, with the meadows, woods, pastures, and other appurtenances."—[See extract from Kuerden, apud Baines's *Lanc.*, vol. ii, p. 188.]

About this time, 1305, we find that the Strangers held some land in Denesgate, by paying twelve pence per annum to the rector of Manchester.

§ 12. SYMON DE BARNESLEY, RECTOR OF ASHTON, A.D. 1324.

In Vernon's extracts is the following transcript of this entry:—

Time of Presentation.	Rector.	Patron.	Cause of Vacancy.
1324.	Symon de Barnesley, Acolyte.	Dominus Io: le Ware, Miles.	p. m. Adam de Ardenna ult. Rect.

Baines, in an extract which he has given from the Harleian MSS. relative to this rector, names him Craneslegh:—"Ecclesia de Ashton subter lineam valet 40 marcas et est de presentacione domini ad quam dominus nunc ultimus presentavit Symonem de Craneslegh clericum qui nunc institutus possidet ipsam dotatam."—[Harl. MSS. Cod. 2085, fo. 416, apud Baines's *Lanc.*, vol. ii, p. 188 and 538.]

From this extract it appears, that the church of Ashton, which, in 1292, was valued at fifteen marks, was now worth forty.

§ 13. THE "JERUSALEM LAND" OF ASHTON.

Among the various lands in Lancashire which had been bestowed upon the order of knights templars, were some in the manor of Ashton.

During the jealousy which subsisted between the ecclesiastical and civil authorities, the people took no inactive part, being the most inveterate against the religious orders, now no longer popular, the riches of whom had greatly increased, owing to the vast endowments bequeathed them by opulent landed proprietors. In 1312, the order of knights templars, through the means of the archbishop of York, had been suppressed, not in consequence of charges alleged against them, which had failed in proof, but in deference to popular opinion. The knights were then, for the sake of their immediate relief and sustenance, planted in other monasteries.

It was objected against these hostile proceedings, that the lands which had been granted by pious founders to defend Christianity, to largely provide for the poor, and to pray for the souls of departed benefactors, would, upon the dissolution of the order of knights templars, revert by escheat to the king, or to the original granters. In order to avert

this liability, a statute was framed by which the lands of the late order were bestowed upon the knights of St. John of Jerusalem, named Hospitalers.—[Dodd's *Church History*, edited by Tierney, vol. i, p. 138 and 332.]

Much uncertainty prevails regarding the original donor of certain lands in Ashton, known at a later period under the name of "Jerusalem land." There was a Henry de Eston [Ashton-under-line?] holding from the family of Burnul, who is recorded to have given twenty acres of land to the hospital of Jerusalem.—[Baines's *Lancashire*, vol. iii, p. 496.] We find, however, in Ashton-under-line, though at a much later period [the 15th century], a free tenant of the name of Bardsley renting "this Jerusalem land," for which the yearly tribute of a rose (valued at a penny) was paid to the lord of the manor, the profits of which were handed over by the tenant for the support of the knights hospitalers in the Holy Land, where the grand master of the order resided. The donation was at that time presented by a female, who went under the name of Elyn the Rose.—[Account of the manor of Assheton-under-line, by Dr. Hibbert.]

CHAPTER II.

THE MANOR OF MANCHESTER, ALIENATED TO THE ABBEY OF DORE, IN HEREFORDSHIRE, REVERTS TO JOHN LA WARRE.

Unless the alienation of the manor of Manchester, in favour of the abbey of Dore, had been for a term of years only, of which we have no historical evidence to adduce, it would not be difficult to assign the reason why the grant should have been at this particular time reversed. Religious houses were far more under the papal influence than under royal control, upon which account they were regarded by the civil government with particular jealousy. But, independently of this circumstance, the sums demanded by Edward from abbots and priors, under the form of talliage, for the lands held by them, were, if possible, evaded for the reason, that the cause of the Scots was befriended by the Roman see.

There can be little doubt that motives such as these had dictated the fresh act by which John la Warre, in the 19th of Edward the Second (1325-6), held the manor of Manchester as an escheat from the abbey of Dort. The entry is as follows:—

Johannes de la Ware pro abbate et conventu de Dore
 * Mauncestre maner' Lancast'r *

And along with the manor of Manchester other possessions, in other counties, to a great extent, were stated as reverting to John la Warre, the

granter. Of these were parcels of a manor at Albriton in Salop, along with the advowson of the church, the manors of Ewias Herald in the marches of Wales, of Swinshed and Wodeheved in Lincolnshire, of Wykeware in Gloucestershire, and of Wakurleye in Northamptonshire.

Such an escheat must have been a serious loss to the Herefordshire abbey.

A year after this event, John la Warre acquired an addition of lands from another source.

Clarice, widow of Roger la Warre, one of the two coheireses and eldest daughter of Sir John Tregoz, possessed a moiety of various lands in Hereford, Wilts, Somerset, Salop, and Northampton, which descended to her son John la Warre, who contended against a parliamentary decision of the lands, that he ought to have possessed the whole. After tedious proceedings at law, his mother died in the 20th of Edward the Second (1326-7), when he succeeded to the possession of the lands which had been assigned to him as his share.

In 1327, Edward the Third ascended the throne, one of whose first acts was to reverse the attainder of Thomas, Earl of Lancaster, and to reinstate Henry, brother and heir of the said Thomas, in the possession of all the lands and lordships heretofore escheated.—[Baines's Lancashire, vol. i, p. 127-134 and 279.] Among the manors reverting to the princely house of Lancaster was that of Salford.

§ 1. THE REMEDIES ADOPTED TO QUELL CIVIL DISTRACTIONS, AND THEIR SUBSIDENCE.

It has been explained, that the greatest cause of the civil distractions of this period was the discouragement given to peaceful industry by the late demand of men for the Scottish wars.

Edward the Third had procured enlistments by the arbitrary calls made by him upon counties, to supply the number of troops which he required. At length the parliament thought it expedient to limit the requisition, and to proclaim, in discouragement of broken men seeking to be employed in the wars, that no one should go out of his shire except when necessity required, or when there was a sudden influx of strange enemies into the realm. Keepers of the peace were also appointed in each county to aid the sheriff in the hue and cry which were directed against all persons accused or suspected of evil, who were ordered to be pursued through town, through country, and through hundred. In aid of this tranquillizing object, the views of frank pledge acquired their greatest degree of stringency. After the seneschal of the sheriff's tourn, or court baron, was sworn, it was inquired, If all of the age

of twelve years were in decenna? If all the residents, or householders, had given in their pledges and were enrolled? If all the jurors who owed suit and service,—and if all the chief, or capital pledges, or dizeins, in assize of the king, had arrived? The capital pledges, or grand jury, were then charged to inquire,—If the free tenants or freemen [the petty jury] were sworn? If all defaulters, absent, or not in decenna, had been amerced? If there were any king's villeins, or lord's villeins, who were fugitive,—who had not abided in their present station a year and a day,—or who were in some other view of frank pledge? If there were any wanderers, or vagrants, and who were their harbourers or receivers? If there were any clerks, knights, or others, and if not in decenna, of whose manupast they were? If the watch had been duly kept?—The petty jury, or freemen, were, lastly, charged, upon oath, to declare the truth of any indictment,—and, if an injury had been committed within a year and a day, the offending party, if present, was to be immediately answerable, but, if not, the capital pledges were to see the complaint remedied.

It is evident, that, by these measures, the greatest possible degree of efficiency was given to proceedings intended to diminish the number of outlaws rambling from shire to shire, by binding them to a fixed residence, and to their respective decennas.

With the gradual suppression of this lawless state of society, alike involving the laity and clerks,—for the church at that time could furnish many Friar Tucks,—we may now proceed to notice other incidents as well as changes, though of an ecclesiastical, rather than of a civil character.

§ 2. JOHN DE CLAYDON, RECTOR OF MANCHESTER, A.D. 1327.

The following is the notice of the institution of John de Claydon:—

p 157. b
1327. 1 Edw. III. Mancestre—7^o. Cal. Septembris Johannes de Claydon, Presbyter in persona Thomæ de Wyke post mortem Adami de Sythwike ultim^o Rectoris.

Patr. Dominus Johannes la Ware Miles.

In addition to the above notice there was a dispensation of absence:—

p 157. citing LIB. III.
Mancestre. Dispensatio cum Johanne Rectore ecclesiæ de Man-
cester quod possit se absentare ab ecclesia sua pro termino &c. ad
instantiam Domini Willielmi Herle Militis.

The reason for this permission of absence was, probably, akin to the great cause which led to the withdrawing of so many of the clergy, upon leave of absence, from their respective incumbencies. The cause, as I have stated, was the ignorance and want of education among the nobility and gentry, which, while it rendered them unqualified to fill the

higher orders of the state, obliged the king to assign all offices of responsibility and trust demanding talents for their fulfilment, to learned clerks. Hence the special order which had appeared in the year 1315, directing, that "when clerks were occupied about the exchequer, they should not be bound to keep residence in their churches."

The encouragement thus given by the crown to the non-residence of the better educated description of clerks was not lost upon earls, barons, or even knights. In the present instance it would appear, that John de Claydon, by a leave of absence granted him, was absolved from his charge of looking after the spiritual concerns of his parishioners, with the view of filling some secular office for the convenience of William Herle, knight.

It may be conjectured that John de Claydon, who, through Thomas de Wyke, was inducted by proxy into the living of Manchester, was of a family dwelling in one of the central districts of England, as he appears to have possessed the manor of Woodheved [or Woodhead], not far from Magna Castreton, in the county of Rutland.

In the 7th of Edward the Third, we find the following deed in which John de Claydon meets with mention:—

Sciãnt &c. Nos Johannes de la Warre dominus de Mamcestria concessimus Ricardo Ffauc' et Cecilie uxori ejus unum dimidium burgagii quod jacet juxta manerium nostrum, &c. Hiis testibus Domino Johanne de Claidone persona Mamcestrie Willielmo de Sto Mauro Johanne de Salford Johanne de Hulton Henrico Doterind et aliis Datum Mamcestrie die domini proximo post festum Sancti Hillarii. 7 Edw. III.—[From a communication by the Rev. F. R. Raines.]

John de Claydon is also recorded (at an unknown date) to have enfeoffed John la Warre, and Jane his wife, of his manor of Woodhead, to be held for their lives by the service of a ninth part of a knight's fee from Henry, Earl of Lancaster; remainder to John la Warre, their sons and heirs of his body; remainder to the right heirs of John, son of Roger la Warre, for ever.—[See Escaet 21 Edw. III.]

§ 3. THE CLUNIAC MONASTERIES SEIZED INTO THE KING'S HANDS, AND RESTORED.

Edward the Third commenced his reign by manifesting decided opposition to the pretensions of the Roman see. He not only forbade the payment of Peter pence, which amounted to three hundred marks a year, but he also seized upon the revenues of alien monasteries. Among the different monastic establishments which, in the 4th of Edward

the Third (1330-1), were represented before the king in parliament, were those of the Cluniac rule, which, from their subjection to the head of the order in France, became seized into the king's hands as alien priories. Among these would be the cell of Kersall, belonging to the Cluniac abbey of Lenton, in Nottinghamshire.

It would appear, however, that, in consequence of a petition to parliament, some of these restrictions were subsequently removed, and the houses made denizen.

§ 4. THE INTRODUCTION OF FLEMISH MANUFACTORIES INTO MANCHESTER.

After the country had, in some degree, surmounted the effects of long and demoralizing wars, Edward fixed his attention upon the internal state of the kingdom. Owing to his marriage with Philippa, daughter of the Earl of Hainault, the intercourse with the Netherlands had so much increased, that the monarch, from his connexions, had found little difficulty in inducing the woollen cloth weavers, the dyers, and fullers of Flanders, to come over and teach his subjects the mystery of a craft, whereby they had not only enriched their own country, but had obtained a manufacturing celebrity which was the admiration of the world:

Quæ regio in terris vestri non plena laboris?

Fortunately for the introduction of the industrial arts into England, a newer generation of yeomen was springing up, alienated from predatory pursuits, which had been chiefly caused by military habits acquired during long campaigns, in connexion with the irritation arising from divers abuses in church and state, which were no less odious to the king than to his subjects. The intelligence which the yeomen displayed, they, in part, owed to endowed schools and colleges, and when they betook themselves to occupations of trade as well as of agriculture, their extraordinary habits of diligence rendered them apt pupils of Flemish craftsmen sent over to England, through the encouragement given them by an enlightened monarch.

Fuller [in his *Ecclesiastical Dictionary*] adds, that when the king had gotten this treasury of foreigners, he "bestowed them thorow all parts of the land, that clothing thereby might be better dispersed."—"Happy the yeoman's house," he adds, "into which one of these Dutchmen did enter, bringing industry and wealth along with them. Such who came in strangers within doors, soon after went out bridegrooms and returned sons-in-law, having married the daughters of their landlords who first entertained them. Yea, these

yeomen, in whose houses they harboured, soon preceded gentlemen, gaining great estate to themselves, arms and worship to their estates."

In the introduction of the Flemish manufactories into Lancashire, as well as other parts of the realm, it is stated, that the woollen trade took root in Manchester, and that it thence spread along the district rising over the Yorkshire hills to the west, and the mountainous region of Rossendale and Pendle to the north;—also that many Flemish emigrants settled at Rochdale and at Bolton.—[Baines's Lancashire, vol. ii, p. 241, and vol. iii, p. 56.]

Manchester and Salford had great occasion for this stimulus to trading industry. For, hitherto, these towns were regarded as so poor, that, in the talliages made for the Scottish wars, neither of these towns are mentioned in the returns to the king's exchequer.—[Baines's Lancashire, vol. i, p. 327.]

In connexion with this encouragement given to the kingdom, various national regulations, relative to free trading, bear the date of 1333.

§ 5. THE NINTHS REQUIRED FROM THE PARISH OF MANCHESTER IN SUPPORT OF THE WARS.

We learn from the preface appended to the parliamentary records, entitled "*Nonarum inquisitiones in curia scaccarii temp. Regis Edwardi Tertii*," that, in a parliament held in the 14th of Edward the Third (1340), for the purpose of voting supplies for carrying on the wars of France and Scotland, there was granted to the sovereign the ninth lamb, the ninth fleece, and the ninth sheaf, to be exacted for the two years next to come, to which all cities and boroughs became amenable, while a remission was made in favour of foreign merchants not dwelling in cities or boroughs, who were assessed in their goods and moveables at no more than a fifteenth. Upon this occasion the clergy, without waiting to be taxed, came forward and granted a tenth of their produce, which was regulated agreeably to Pope Nicholas's valor of 1292.

In order to enforce this law of the ninths, an additional statute was passed in the year following, namely, the 15th of Edward the Third, by which three commissions were issued. Of these, the first charged certain persons with the assessment and sale of the ninths and fifteenths. By virtue of a second commission, the same assessors and vendors were authorised to assess the articles levied according to Pope Nicholas's valuation,—on which computation, the ninth of the corn, wool, and lambs, exigible in 1340, was considered as of equal worth with the tenth of such titheable

commodities as had been subjected to the actual levy of a tenth in the previous valor of 1292, named the "*verus valor*." By a third commission it was ordered, that, in case the value of the ninth should prove less than the taxation of Pope Nicholas's valor, there should be levied no more than the fair value of the ninth.

Agreeably to these instructions, the vendors and assessors, in their inquisition, took the oaths of parishioners, by which the true value of the ninth of corn, wool, and lambs was described, including such as belonged to abbeys, priories, or to any other religious corporation;—the same being compared with the "*verus valor*," and the causes, if any, assigned, why the ninth did not amount to the sum of the former valuation. Of such causes, was the greater exposure of certain parishes in the north to the devastations of an invading enemy. But besides the valuation of corn, wool, and lambs, there was occasionally included other articles, of which was the *Dos*, or glebe of the church, the tithe of hay, &c.

This tax fell hard upon the clergy, who, having voluntarily consented to render themselves amenable to the ancient tax of the church, were now assessed and taxed to the ninth,—both assessments having been collected.

In the county of Lancaster, the assessors and vendors of the ninth of sheaves, lambs, and fleeces, consisted of the abbot of Furneys, Edmund de Neville, Richard de Houghton, and John de Radeclive. Of the result of the inquest which was made of the wapentake of Salford, the following is the report:—

WAPENTACHIUM DE SALFORD.

Inquisitio Wapentachii de Salford capta apud Preston die Jovis proximo ante festum sancti Mathie Apostoli anno regis regni Regis Edwardi tertii à conquestu quinto decimo coram Abbate de Fourneys et sociis suis ad inquirendum de vero valore nonarum et quintedecime per duos annos domino Regi concessarum in comitatu Lancastrie assignatis per sacramentum Johannis de Asseton Henrici de Trafford Henrici de Workeslegh Adame de Hulton Johannis de Hulton Roberti de Trafford Ricardi de Radclyf Johannis de Aynsworth Adame de Hepwood Adame de Leme Johannis de Heton Roberti de Pilkington Ricardi de Redithe Rogeri de Pylkyngton Johannis de Trafford et Rogeri de Westlegh. Qui jurati et requisiti per sacramentum suum de vero valore none garbarum vellerum et agnorum provenientium de singulis parochiis dicti wapentachii de primo anno dictorum duorum annorum et de ceteris quibusdam articulis tangentibus ipsam nonam ac de vero valore quintedecime partis bonorum mobilium mercatorum et aliorum hominum exceptione civitatum et burgorum de agricultura non viventium dicunt per sacramentum suum quod non sunt in dicto wapentachio aliqua civitas neque burgi nec mercatores seu alii homines qui de quintadecima debeant respondere Dicunt etiam quod sunt decem ecclesie parochiales in eodem wapentachio videlicet

ecclesia de Maincestr' de Midelton de Bury de Flyxton de Radecluf de Assheton de Prestwyche de Bolton de Rachedal de Eccles.

In this document, the ninths of the several parishes contained within the wapentake of Salford are stated at length. But, in confining ourselves to the assessment of the parish of Manchester, with which this history is exclusively concerned, it may be previously expedient to remark, that, in the verus valor of 1292, the church of Manchester was rated at £53^s 6s. 8d., or eighty marks.

The ninths of the year 1340 were, however, founded on an assessment reduced from eighty to about thirty-five and a half marks:—

ECCLIESIA DE MAUNCESTR'.

Que taxatur ad iiij—xx m̄r [octaginta marcas] unde nona garbarum vellerum et agnorum parochie ejusdem juxta verum valorem valet ix m̄r [novem marcas] unde villata de Mauncestr' res' de [respondere debet] xxij m̄r Salford cum Burghtoun de [debet] liij Chetham de' x' Hulme juxta Mauncestr' de x' Chorleton de x' Stretford de xlvii viii^d Redwyche de liij iiiii^d.

In the same document the assessment of Ashton parish is reduced from fifteen to eight marks:—

Ecclesia de Asheton taxatur ad xv m̄r nova garbarum vellerum et agnorum parochie ejusdem juxta verum valorem valet viii m̄r viii^d x' de quibus Assheton res'.

By a comparison of this estimate with that of the verus valor of Pope Nicholas, it will be evident that the ninth fell far short of what might have been expected. The cause of this defalcation is unexplained. It had less a reference to the devastations of Scottish invaders, than to the civil distractions of Lancashire, which for many years had interfered with the labours of the husbandman. With the assessment of the parishes of the wapentake of Salford, the commissioners were dissatisfied, and refused to accept the amount without the royal sanction:—

Dicti jurati nullam causam assignare voluerunt quare dicta nona non attingit ad summas taxarum dictarum ecclesiarum ideo dicti Abbas et socii sui protestati sunt quod summas predictas juratas coram eos presentatos alio modo non acceptarent nisi quatenus dominus Rex et ejus consilium eas duxerint acceptendas.

§ 6. THE DEANERY OF MANCHESTER IS SEPARATED FROM THAT OF BLACKBURN.

In the verus valor of 1292 we learn, that the "decanatus de Manchester et Blackburn" comprised the following ten parishes:—Manchester, Eccles, Prestwich, Bury, Middleton, Rochdale, Ashton, Flixton, Blackburn, and Whalley.

Four years afterwards, the monastery of Stanlawe was removed to Whalley, one consequence of which was, the separation of the churches contained within the wapentake of Blackburn from

those of the deanery of Manchester,—which deanery henceforth comprised no churches except those to be found within the wapentake of Salford.

Thus, while the churches of Whalley and Blackburn were withdrawn from the Manchester deanery, they formed, along with the church of Rybbcestr' and the church of Chypyn, the assemblage appertaining to the ecclesiastical jurisdiction of Blackburn, which, in 1340, became subject to the assessment of the ninths.

Upon the latter occasion we also learn, that the deanery of Manchester comprised the following ten churches, viz., of Manchester, Middleton, Bury, Flixton, Radcliffe, Assheton, Prestwich, Bolton, Rochdale, and Eccles, and that the two parishes which, in the place of Blackburn and Whalley, were admitted within the Manchester deced, were those of Radcliff and Bolton.

§ 7. JOHN, SON OF JOHN LA WARRE, BARON OF MANCHESTER, PREDECEASES HIS FATHER.

John, son of John la Warre, baron of Manchester, in the 18th of Edward the Third, A.D. 1339-40, predeceased his father. He had married Margaret, daughter of Sir Robert de Holland, who founded the priory of Benedictine monks at Holland, in the parish of Wigan.—[Gregson's Lancashire, p. 195.]

After his death certain manors in Northampton, Salop, Hereford, and Sussex, including Isefield, which had been settled upon him by the father, reverted to the granter.

John la Warre, the younger, left for issue Roger la Warre, who, a little before his father's death, had been married to Elizabeth, daughter of Adam, the third Baron de Welles, by whom he had a son named John, who would be a great-grandson of the present baron.

The other issue of John la Warre, the younger, were,—John, a second son, afterwards Sir John of Bokhampton, Berks, which he held by sergeantry in keeping the king's harriers, &c. He died 28th of Edward the Third without issue, leaving his estates to his brother.

Thirdly, Catherine, married to Sir Warine Latimer, Lord Latimer, of Braybroke.

§ 8. THE MILITARY EXPLOITS OF JOHN LA WARRE, BARON OF MANCHESTER.

On the 13th of June, 1340, John la Warre accompanied the fleet of two hundred and fifty sail of ships, commanded by the king in person, when he met with the enemy's navy in the harbour of Sluys. This was the most gallant fight ever known in those seas, giving a fatal blow to the French navy. The English archers were the most conspicuous in the fight.

In 1342, the baron of Manchester bore a part

in the fruitless campaign which Edward undertook against the French, who were the allies of Scotland. The siege of Nantes, in which John la Warre aided, was changed into a blockade. The two armies wintered near each other without risking any general engagement, until, through the mediation of Pope Clement the Sixth, a truce was agreed upon.

§ 9. GENERAL STATE OF RURAL DEANERIES IN THE YEAR 1342.

In consequence of the introduction of functionaries superior to rural deans, particularly of archdeacons, to overrule the secular and spiritual concerns of each decanate, the office of the rural dean was still farther declining. "In ordinary deaneries," remarks Mr. Danson, "the respective archdeacons had so cramped the authority of rural deans, that there was no great solemnity in appointing men to execute the declining office, commonly bestowed by verbal nomination and tradition of the seal."

It has been also remarked, by the same author, that at this time, A.D. 1342, so ill were the deanery sessions supported, that when they were convened, but feeble exertions were made to find entertainment for the dean and his retinue, whence the decree of Archbishop Stratford, that "all chapters, for the future, should be celebrated in the more eminent places of the jurisdictions and deaneries, or, at least, where victuals might be purchased by all; and that officials and other ministers of the deans, at such celebrations, and all other acts which they exercised instead of their principals (as inquests on the vacancies of benefices), should perform what concerned them at the expense of such of their principals."—[*Horæ Dec. Rur.*, vol. ii, p. 13.]

To a certain degree, however, as I have before noticed, the deaneries contained within the archdeaconry of Chester, among which was that of Manchester, exhibited a far less declining state of authority and influence. While in most dioceses a great complaint was made not only of the moral irregularities of the dean rural, but even of the apparitor, who was named "*animal tantum rationale*" [*Horæ Dec. Rur.*, vol. i, p. 384-5], a salutary custom prevailed in the archdeaconry of Chester, that the office of apparitor should not be exercised but by virtue of a distinct patent.

§ 10. THE CHAPLAINS OF MANCHESTER, A.D. 1342.

John de Claydon was rector of Manchester at this time. In 1342, "Robert de Chalomber," according to Hollinworth, "passed certain lands in

the Denesgate, in the parsonage of Manchester, to John, son of John de Strangeways, for twenty pence yearly to be paid to the rector. Witnesses John Wakerley, John de Hulton, Richard of the Milnegate, chaplain."

But besides this information, "wee read," adds the same writer, "that Richard Braybon [probably Richard of the Milnegate], Adam Longholt, Robert Bibby, and John de Battersby, were chaplains."

§ 11. THE TEMPORAL POWER IS STILL FARTHER ENCROACHING UPON THE SPIRITUAL POWER, A.D. 1343-4.

Clement the Sixth, by a papal provision, had nominated two cardinals to the next vacant benefices, not bishoprics, or abbacies, which should be of the yearly value of two thousand marks. The spirit of the nation was roused. The king was so exasperated, that the cardinals' agents were admonished to leave the kingdom, or, otherwise, they would be imprisoned. Supported by the lords and commons, he also remonstrated, that papal provisions were contrary to the ancient laws and customs of England, whereby it had been provided, that bishops or abbots should obtain their dignities by the election of chapters. The pope, in reply, urged custom against custom, and demanded satisfaction for the insult offered to the two cardinals.

In conclusion, an act was passed, A.D. 1343, forbidding any person, under pain of forfeiture, to bring or receive bulls, reservations, or other letters, or to accept or execute provisions contrary to the rights of the king, and to the liberties and welfare of the people; and commanding all clerks and others, who, by virtue of such letters, should presume to bring actions against either the patrons of benefices or their presentees, to be arrested as offenders, and submitted to the judgment of the king's councils. In the following year, A.D. 1344, this statute was confirmed, and the penalty of outlawry, perpetual imprisonment, or abjuration of the realm, was adjudged against any provisor, procurator, executor, or other, who should venture to appeal to Rome from the decisions of the king's courts.—[*Dodd's Church History*, edited by Tierney, vol. i, p. 140-3.]

While this dispute was going on, other contentions took place, occasioned by Edward the Third having levied great taxes from the clergy, which were resisted on the plea, that they were an infringement of the statutes of Magna Charta. The king also laid various restraints on ecclesiastical courts, as that no one should suffer any punishment from them, except in the place which he inhabited.

§ 12. THE GALLANT EXPLOITS OF JOHN LA WARRE.

In 1346, John la Warre was present at the battle of Cressy. In the plan of the engagement concerted by the Count of Alençon, which had the further aid of thirty-one squadrons of French and German knights, the division of the Prince of Wales formed the chief object of the enemy's attack. John la Warre served in the first division of the forces, commanded by the prince himself, which comprised lords, knights, and esquires, to the number of eight hundred, four thousand archers, and six thousand valiant Welshmen.

§ 13. DEMISE OF JOHN LA WARRE.

John la Warre died, at an advanced age, on the eve of Ascension, in the 21st of Edward the Third (1347), soon after the glorious share which he bore in the victory of Cressy. He had been various times summoned to the councils of the Edwards, Second and Third.

He was found seized of the manors of Manchester and Keurdley, in the county of Lancaster, jointly with Joan his wife, by virtue of a feoffment of Thomas Greslet, brother to Joan, whose heir she was. He was likewise seized of manors in Northampton, Leicester, Rutland, Lincoln, and Sussex, with remainder to Roger la Warre, his grandson, and Elizabeth, wife to the said Roger.

Lastly, in an inquisition taken on the eve of the Holy Trinity, 21st of Edward the Third (1347), it was found, that John la Warre held nothing of the king in capite, but that he possessed, jointly with Jane his wife, the manor of Woodheved, with which he had been enfeoffed by John de Claydon, rector of Manchester.—[See page 97.]

It is worthy of remark, that in the 9th of Edward the Third, Sir John de Ashton had obtained a charter for a free warren in Ashton. This grant must have added to the complex state of the manor, which was held as a subinfeudation under the Kirkbys from Manchester, while the patronage of the church of Ashton still belonged to the La Warres.

The arms of John la Warre have been described as gules, crusely, filchet, argent, a lion rampant of the last.

Coincident with the demise of John la Warre, an important event took place in the Honour of Lancaster. Twelve years previously, by virtue of an act which had passed for reversing the attainder of Thomas, Earl of Lancaster, Henry, the surviving brother, succeeded to certain of the lands and lordships which had been seized, all of which, in possession of the crown, were awarded to him on the death of Alice, wife of the late earl.

He died in 1345, leaving a son and heir, Henry, who was created Duke of Lancaster, with power to have a chancery in the county, to issue out writs under his own seal, which extended to pleas of the crown, as well as to enjoy all other liberties and regalities belonging to the county palatine. From his liberality, he was named "The Good Duke of Lancaster."—[Baines's Lancashire, vol. i, p. 134, 137, 140.]

CHAPTER III.

EVENTS DURING THE SWAY OF ROGER LA WARRE, THE TENTH BARON OF MANCHESTER.

In the 23rd of Edward the Third (1349-50), Roger la Warre, heir to his grandfather, did homage, and had livery of all the possessions which Margaret, his mother, held in demesne. Among the parcels of land enumerated, which are said to have been formerly held by Thomas de Grelly, are mentioned Withington, Worthington, Heton-subtus-Horwich, the manor of Stanyng, from the Duke of Lancaster, held by the abbot of Whalley, and Charnock.—[Baines's Lancashire, vol. iv, p. 762.]

§ 1. THE APPEARANCE OF WYCLIFFE.

A most important crisis in the English church now requires to be recorded, which was indicated by the appearance of Wycliffe, the first great apostle of reform.

Wycliffe lived during a period when the inquiry had commenced,—if the ecclesiastical establishment of England, under its then existing state, was capable of administering to the new wants, or exigencies, of more enlightened times, or, in other words, to a more advanced state of civilization? A greatly improved condition of social order was demanded, as commensurate with the high calling, or destiny of man, in this world, and in that which is to come.

But before such an inquiry could be made,—before reason was enabled to proclaim that holy church had failed in assisting the tendencies of human nature towards the fulfilment of its exalted hopes,—powerful excitements were demanded, equal to the effect of awakening in the soul sentiments which for centuries had reposed.

The excitements capable of giving rise to the utterance of human thought long suppressed, were the corruptions which everywhere prevailed in the church. These were, at the time, so great and so manifold, that discontent could no longer be subdued. And thus it happened, that a dispute, comparatively trivial, was the spark with which the

inflammable materials of a long-smothered hatred against all orders of the church, were doomed to be kindled.

In adjudging the occasion which introduced Wycliffe to the admiration of his country, to have been, in itself, of trifling moment, no misapprehension can well subsist. Of what importance could it be to the nation at large, that the friars had set up a claim to graduate at the university of Oxford without complying with its statutes,—or that Wycliffe, who had been appointed to supersede a monk in the wardenship of a hall at Oxford, was, by a decree of the pontiff in favour of the monkish claim, considered as ineligible;—or even that, when he first raised his voice in exposing the crimes as well as the usurped privileges of his opponents, he was actuated by motives of personal resentment. These were not the circumstances with which the nation at large could be interested, or which actually recommended the great apostle of reform to the favour of his countrymen.

Wycliffe did not, at first, avowedly question any established doctrines. He was imperceptibly led to doubts of this kind in his interrogation,—why the existing tenets of the church appeared inadequate to the sublime object of aiding in the high destiny of the human race, to which all the faculties and instinctive cravings of the soul were tending, as to its universal good? Wycliffe commenced the inquiry not as a demagogue, addressing himself to the vulgar, but as a philosopher, whose prelections were submitted to erudite members of the university of Oxford. He appeared as an inquirer, who, from the deepest mental or intellectual sources, could call forth elementary principles, such as reason evolved to give aid to observation, but as these were more or less connected with the metaphysical dogmas of the church, hence resulted his treatises, *de temporis quidditate*,—*de amplificatione*,—on the essence of accidents,—on rarity and density,—on matter and form,—*de necessitate futurorum*,—or on the immortal soul itself. In logic, he enlightened his disciples with disquisitions on truth and falsehood, on the sources of error, on the stray wanderings of the soul, on the art of sophistry, on the impediments of discourse, or on the nature of faith.

After Wycliffe had thus secured to himself the attention of learned hearers, he took them a step further, and after denouncing the tenth century as an age when gross darkness and error began to prevail, he invalidated all the writings of the fathers which dated from this period.

These formidable problems Wycliffe undertook to resolve by the aid of metaphysics, logic, moral philosophy, and the theology of the schoolmen.

At first he had no desire to destroy prevailing dogmas, nor to change the ideas of the people. He only wished to find in consecrated doctrines something true which faith might receive as legitimate,—which, when rescued from darkening fallacies to its full development, might satisfy the wants of the age.

§ 2. THE STATUTE OF PROVISORS.

Another important feature of this advancing state of society consisted in the acts of parliament, which were framed with the view of counteracting the interference of the Roman see with the rights of patrons.

One of these statutes, important in the history of the church patronage of Manchester, demands a particular attention.

The appeals of the people called for a new enactment against papal provisions. They demanded that all forestalling should cease, and that elections, presentments, and collations of benefices, should stand in right of the crown, or of his majesty's subjects, as had formerly been enjoyed.

An act was therefore passed in the 25th of Edward the Third (1351-2), in which, after adverting to the principle that the church of England was founded in prelaty, it was complained that the bishop of Rome, by procurement of clerks, and otherwise, had reserved to his collation generally all dignities and benefices of England, and that he had given the same as well to aliens as to denizens:—that he had taken of all such benefices the first fruits, and many other profits, and that a great part of the treasure thus carried away was dispended out of the realm by the purchasers of such benefices: also, that many clerks who had been advanced by their true patrons, and had peaceably holden their advancements by long time, were suddenly put out. The commons, therefore, prayed the king, that in reference to the mischiefs and damages which happened to his realm, he ought, and was bound by his oath, to make law.

It was accordingly (among other things) ordained, that free elections of all dignities and benefices should hold in the same manner as granted by the king's progenitors, and the ancestors of other lords, founders of dignities and other benefices: And if collation, reservation, or provision should be made by the court of Rome of any benefice which might be of the advowry of the people, whereof the king should be advowee paramount immediate, the king and his heirs should have the presentment, or collation, for the time specified:—And, in the same manner, every other lord should have the collation, or presentment, to benefices:—And if such advowees should not present to such benefices within

half a year after the voidances, and the bishop of the place should not give the same, then, by lapse of time, the king should have the presentment and collations, as of his own advowry.

The act then declares the penalties to which provisors were liable: If presentees were disturbed by provisors of the court of Rome, so that they had not possession of their benefices, the said provisors, their procurators, executors, and notaries, were to be attached by their body, and brought in to answer, and, if convicted, were to abide in prison without fail, until they had made fine and ransom to the king at his will, and submitted to the aggrieved party that they would make full renunciation, and find sufficient surety that they would not sue any process in the court of Rome for any such imprisonments, or renunciations, or any other thing dependent on the same.—[Dodd's Church History, edited by Tierney, vol. i, p. 335-9, Appendix.]

Yet this act was very far from being strictly put into execution. Very long afterwards, even to the time of the Reformation, the pope was not unfrequently complimented with the privilege of nominating his friends to ecclesiastical dignities. And hence we find that Wycliffe deemed it expedient, during the whole extent of his apostolic labours, to expose the pernicious effects which resulted from papal provisions in impairing the efficiency of the parochial clergy. According to the exposure and denunciation of this fearless reformer, the clerk who might become the object of the papal patronage and provision, would be the most active in collecting the revenues for the holy see, such as the first fruits, Peter pence, &c., by all the coercive means which laws ecclesiastical allowed. "This collector of pence," as the reformer describes him, "is one who can neither read nor understand a word in his psalter, nor repeat the commandments of God, who bringeth forth a bit of lead, and, upon this false bribe in striving, pleading, and cursing for tithes and other temporal profits, will incur costs and labour, and often fight and get fees, and go to Rome bearing much gold out of our land to aliens and enemies.—Such a clerk is presented to a benefice, in opposition to the doom of God and a manifest experience, that he is able to govern many souls."

§ 3. AGAINST SUING IN A FOREIGN REALM.

The statute of provisors was followed up two years afterwards by a statute of premunire, against suing in a foreign realm. No one was to be drawn out of the realm to answer of things whereof the cognizance pertained to the king's court. Those who sued in any other court to defeat or impeach the judgments given in the king's

court, were, after due warning, to be made to answer in their proper persons to the king and his justiciaries of the contempt done in this behalf. If they did not come at the day to be at the law, they, their procurators, attorneys, executors, notaries, and maintainers, were to be put out of the king's protection, their lands, goods, and chattels, forfeited to the king, and their bodies to be taken, imprisoned, and ransomed at the king's will. And if, upon a writ being made, it was returned that they were not to be found, in this case they were to be put in exigent, and outlawed.—[Dodd's Church History, edited by Tierney, vol. i, p. 339, Appendix.]

It is needless to repeat, that the statutes of provisors and of premunire formed the two first direct attacks which were aimed at the papal supremacy.

This act of premunire, however, was perhaps less productive of the effects which it had in view than the act of provisors, which it was meant to strengthen. All the eloquence of Wycliffe was, therefore, employed to impart to it efficiency. "The proud priest of Rome," he observed, "getteth images of Peter and Paul in his lead and would have Christian men to believe that all which the bulls thus sealed, speak, is done by their authority and that of Christ. And thus, as far as he may, he maketh that which is false to be the work of Peter, and Paul, and Christ, and in this would make them false. And by means of this blasphemy he robbeth Christendom of faith, and good life, and worldly goods."—[Vaughan's Wycliffe, vol. ii, p. 306.]

§ 4. THE ABUSES OF PATRONAGE FROM SPIRITUAL AND LAY PATRONS.

Were I to enter into an explanation of all the ecclesiastical abuses which were discussed during the mission of Wycliffe, the field of digression would be far too extensive. There existed, however, one great cause of disorder which cannot be overlooked, as it will be found to particularly connect itself with this local history:—I allude to the abuses of church patronage, not resulting from the unwarrantable invasion of the rights of patrons by the papal see, but as emanating from the unfettered and voluntary dispensations of benefices by patrons themselves, whether spiritual or lay.

In a most curious and instructive treatise of John Wycliffe, entitled, "Why many priests have no benefices," the reformer exposes, 1st, The mode in which prelates exercised their patronage;—and 2dly, The mode in which it was exercised by lay patrons.

And, first, of the patronage of prelates.—Many livings were at the gift of bishops whom Wycliffe charges with flagrant acts of simony. "Curates upon institution and induction," he remarks, "shall give much of their living and poor men's goods to bishops' officers, and deacons, and officials, who are too rich." He accuses prelates of taking the first fruits, or other pensions, from curates, or, in lieu of their preaching the gospel and visiting and comforting poor men, of holding them in their courts and chapels. He also censures the obligations imposed upon curates to feast their bishops and their officers richly upon occasions of visitation, and to give them procuracy,—that is, necessary victuals for the visiter and his attendants, which were afterwards commuted into money paid yearly,—as well as to give synage, which was the ancient tribute in money paid to the bishop, or archdeacon, at the Easter visitations.

"From these causes," adds Wycliffe, "prelates become so worldly, that they are in no condition to reprove the worldliness of others. They do not preach the gospel, nor do they visit and comfort poor men. And, on the other hand, curates, by requisition from the ordinaries, summon poor men from day to day from far places to farther, and curse them for the sake of Antichrist's clerks, or for fear of being held to destroy the jurisdiction, power, and winning of prelates. They also get no leave from bishops to learn God's law, and teach their parishioners the gospel, except for gold, and even then, when about to profit by their labours, they are ordered home at the prelate's will, whence the peril of spending poor men's goods."—"And certes," adds the reformer, in the most bitter and acrimonious terms imaginable, "it is a great wonder that God sufficeth so long this sin unpunished, namely, of prelates' courts, that ben dens of thieves and larders of hell, and so of their officers that bin sotil of malice and covetisse."

If I have reluctantly quoted the exact words used by Wycliffe in writing of bishops' courts, it has been with no other view than to express my opinion, that while sheriffs' tours, in their iniquitous perversions of civil jurisdiction, led to the most dangerous disaffection in the state, the avaricious and vindictive spirit of episcopal courts was no less prejudicial to the best interests of holy church. How expressively is the popular indignation on this head illustrated in the ancient ballad of Robin Hood, which, while it upholds the thrifty and oppressed husbandman, as well as all good yeomen, knights, and squires, places in the same category with the "proud sheriff of Nottingham" all bishops and archbishops:—

* * * *

But loke ye do no housbonde harm
That tylleth with his plough :

No more ye shall no good yeman
That walketh by grene wode shawe,
Ne no knight ne no squyer,
That wolde be a good felawe.

These bysshopes and these archebysshoppes
Ye shall them bete and bynde,
The hye sheryfe of NotyngHEME
Hym holde in your mynde.

In the second place, Wycliffe, in his treatise "Why many priests have no benefices," exposes the mode in which benefices are distributed by lay patrons. In censuring a very common practice of his time, he makes a charge against lay patrons for retaining such as they present to benefices in some worldly office, and providing for them illiterate substitutes. He exhorts patrons to earnestly separate all churchmen from the anxieties of secular offices, and from the snares of wealth; and he condemns such curates as crouch in lords' courts, in order to get more fat benefices. Nor do they, as he adds, purpose speedily to do their ghostly, or spiritual office.

Another charge made against lay patrons, was for allowing themselves to be treated by the objects of their patronage. "Our priests," says Wycliffe, "are required to feast rich persons and vicars. Many times patrons will look to be feasted of by curates, who thus spend their tithes and offerings upon rich and idle men. If they do not when beneficed make great feasts to rich persons and vicars costly and gaily arrayed, they are payned on as hounds, and each man is ready to peire them in name and worldly goods."

In the next place, Wycliffe exposes female influence in the dispensation of patronage. "A lord, in order to conceal his simony, will not take gold for himself, but will receive kindness for the lady, or a palfrey, or a tun of wine. Some ladies will also find means to have a dancer presented, or a tripper on tapits, or a hunter, or a hawk, or a wild player of summer gambols."

Such were the patrons, spiritual and lay, against whom Wycliffe levelled his attack, and in referring the whole of the obnoxious dispensation of benefices to a spirit of avarice, he defined simony, as consisting in extortions of money, being the price of discharging any spiritual functions, as well as in the purchase of the livings of the church. At the same time he insisted, that the cursed heresy of simony ought to be destroyed in benefices, orders, sacraments, and pardons. The reformer then boldly stated, that, despite of ordinaries, curates

gave mede, or hire, to come into worldly offices, and to get lordship and maintenance. He, lastly, denounced such confessors as winked at simony, by not warning prelates and lords of their great peril in holding curates in their worldly office, and for not requiring from them repentance and satisfaction for living in sin and treachery against God and his people.—[See Wycliffe's treatise "Why many priests have no benefices," as published in Gilpin's lives of "John Wickliff and the most eminent of his disciples," 1785, p. 88-101.]

Wycliffe, in the course of his various writings, considers, that the evils which he describes might meet with a remedy from the interference of the state. His recommendation is to the following effect:—"Let the parochial boundaries in the ecclesiastical state remain. Let the present system of patronage continue undisturbed. Let what is solicited from the magistrate be simply protection, and to meet the evils arising from the withholding of public pastors from the established cures."—[Dr. Vaughan's Wycliffe, vol. ii, p. 301.]

§ 5. THOMAS DE RODEFORD, RECTOR OF ASHTON.

In Vernon's extracts from the Lichfield registers there is the following entry:—

Time of Presentation.	Rector.	Patron.	Cause of Vacancy.
1351.	Thomas de Rodeford Cap Dispensatio in obseq. Thome Holland Mil. pubiennium.	Johanna que fuit uxor Jo. le Ware Mil.	.....

Regarding the right of presentation conceded to the wife of the late baron, John la Warre, it was remarked by Glanville (A.D. 1180), that if a church was founded, the wife should, after the death of her husband, have the free presentation, so that, in the case of a vacancy, she should give it to a proper clerk. "But," it was added, "she cannot give it to a college, for by that she would take away the right of the heir himself for ever." Upon this latter clause it was remarked by Messrs. Merewether and Stephens, that Glanville had anticipated the later enactment of the law of mortmain.

§ 6. THOMAS DE WYKE, RECTOR OF MANCHESTER.

In the extracts from the Lichfield cartulary, the following entry appears:—

p. 160. b. citing fol. 129.
1351. 21 Edw. III. Manestre. 11 Kal Septembris. Thomas de Wyke, post mortem Johannis de Claydon, ultimi Rectoris.
Patr. Johanna que fuit uxor Domini Johannis le Ware, Domini de Manchester.

Of the family of Thomas de Wyke nothing is, perhaps, known. From many circumstances occurring in the course of this history, there is reason to suspect that he had been a retainer in the

family of John la Warre, being styled "attornatus suus." The records in which his name appears certainly prove that he was more employed in the manorial than in the spiritual affairs of the barony, and that he likewise held a confidential situation under Roger la Warre. It is also worthy of remark, that, at a period ten years later than the induction of Thomas de Wyke into the living of Manchester, we find it noted, that a "Thomas, the son of Thomas del Wyke," was presented to the living of Ashton. Now, unless there had been a third individual of this name, which no record extant has yet shewn, Thomas de Wyke, the father, must have been a widower at the time when he accepted the incumbency of Manchester. That the son was illegitimate is out of the question, as the canons of the church refused ordination to the natural sons of the clergy.—[See page 109.]

But whether the supposition is admissible or not, that Thomas de Wyke held some secular office in the household of Roger la Warre at the time when he was made rector, it is at least certain, that he formed no exception whatever to the succession of Manchester rectors, whose habitual absence from their charge, and employment of stipendiary and remote substitutes, gave rise, on the part of the parishioners, to the most bitter accents of complaint.

Wycliffe, a cotemporary of Thomas de Wyke, was the first, in the course of his agitation for reform, to denounce all lay patrons whatever for their custom of retaining such as they presented to benefices in some worldly office, and providing for them illiterate substitutes. The lords, he observes, will hold their curates in some worldly office, suffering the wolves of hell to strangle men's souls, so that they have their office done for nought, and their chapels holden up for vain glory, or hypocrisy. "And yet," as the reformer adds, "they wolen not present a clerk able of God's law, and of good life, and holy ensample to the people, but a kitchen-clerk [clerk of the household], or a penny-clerk [clerk of the mint], or one wise in building castles [an architect] or other worldly doing, tho he kun not read his sauter, and knoweth not the commandments of God, ne sacraments of holy church."—[From the treatise of John Wycliffe, "Why many priests have no benefices."]

Upon the present occasion, however, it is impossible to say to what extent Thomas del Wyke would fall under the censure of Wycliffe; for which reason we must pause before his memory falls into farther condemnation.

In justice to his patroness, the Lady Johanna, widow of John la Warre and surviving sister and heir of Thomas Greslet, it is only fair to add, that

if the education of Thomas de Wyke had not previously been that of a theologian, we can readily understand why, on the occasion of his institution, she procured him a license for study (*licencia de studendo*), through the medium of the bishop of Lichfield. Any ignorance of the psalter, of the Divine laws, or of the sacraments of holy church, would thus be obviated. This is shewn in another entry relative to Thomas de Wyke, which, in the copy by Holmes, bears the date of 1332. But it is evident that 1352 must have been meant. The words are as follows:—

p. 157.
1332. 5 Nov Octobria. Thomas de Wyke Capellanus, Rector
ecclesie de Manchester. Licentia de Studendo.

* § 7. THE PESTILENCE OF 1352.

Hollinworth states, that “anno 1352, a commission was granted by the bishop of Lichfield for the dedication of the chapel-yard of Didsbury, within the parish of Manchester, for the burial of such as died of the pestilence in that hamlet, and in neighbouring hamlets, in the chapel-yard there, because of their distance from the parish church of Manchester.”

The date of this pestilence is three years later than that of the “first and great pestilence,” which extended from the 31st of May to the 29th of September, 1349. Supposing that Hollinworth is correct in his history, it is a curious circumstance, that, in the history of the epidemic, it should have visited Manchester in 1352, instead of three years previously.

In the vicinity of Stretford and the adjoining hamlet, named “Cross Street,” a few stones may be found, named “plague stones.” But a great uncertainty subsists on the question of their true origin. They have been described in this history as nothing more than the remains of stone crosses, originally planted as meters of the depth of the waters, when the low tract of land, in which they appear, was flooded over by the sudden rise of the waters of the Mersey and Irwell. The name which these crosses acquired of “plague stones,” is of a much later date. There is a tradition, that they were in use when a sort of cordon encompassed Manchester, for the purpose of cutting off all communication with the town and the surrounding villages, except for the purchase of provisions from the country people. Now, as every town in England was encompassed with crosses, severally planted at each avenue leading to its church, or churches, the sites of such crosses would be selected as convenient trafficking places, intended to impart sanctity to the engagements of sellers and buyers, similar to the religious influence which a regular market cross

was accustomed to exert over the consciences of the faithful.

It is remarkable, that even during Protestant times, these crosses, notwithstanding their great state of mutilation, continued to suggest convenient sites for traffic when the town of Manchester was visited with the later plague of the reign of James the First.

To this curious fact I shall allude hereafter.

§ 8. THE GALLANTRY OF ROGER LA WARRE AT THE BATTLE OF POICTIERS.

The battle of Poitiers took place in the 30th of Edward the Third, September 19th, 1356.

The Duke of Lancaster was one of the great heroes of the day. He had of his own retinue on the field eight hundred men-at-arms, two thousand archers, and thirty banners, whom he hospitably maintained at the rate of one hundred pounds a day. He is said to have expended, in the wars which gave rise to the victories of Cressy and Poitiers, a sum amounting to seventeen thousand pounds sterling, besides the pay which he had from the king.—[Baines, vol. i, p. 137.]

For the honour of taking John, King of France, Roger la Warre was one of the competitors.

The French monarch had yielded to Sir Dennis Morbech, a knight of Artois, in the English service, but being afterwards forced from him, more than ten knights and esquires challenged the taking of the king, among whom Sir Roger la Warre and John de Pelham were the most concerned. In memory of so signal an action, and the king surrendering his sword to them, the Lord la Warre had the crampet, or chape, of his sword for a badge of that honour:—“a crampet, or.”—[Collins's Peerage, vol. ii, p. 88, and vol. vi, p. 176; and Leigh's Accidence of Armory, 1576, fol. 51.]

§ 9. THE SECOND MARRIAGE OF ROGER LA WARRE.

Roger la Warre had married, for his first wife, Elizabeth, daughter of Adam, the third Baron de Welles, by whom he had issue John la Warre, born before the year 1339, and Thomas la Warre, afterwards a priest in holy orders, who, late in life, founded the college of Manchester.

The date of the demise of Roger la Warre's first wife is as uncertain as that of his second marriage with Eleanor, or Alionora, daughter of John, Lord Moubray, described as son and heir of John by Joan his wife,—which Joan was second daughter of Henry Plantagenet, Earl of Lancaster, who was grandson of Henry the Third, King of England.

In the eighth year of the duchy of Lancaster

(1359-60), there were divers fines for writs de convention, &c., concerning lands in Mancestre manor and the advowsons of the churches of Mancestre and Assheton, Penhulton in Salfordshire, &c., the nature and object of which are unknown to us. Some fines of an early date are also said to have been preserved in the Chapter House Record Office, relating to lands and mesuages in the manor of Assheton.

It is lastly stated, that a final agreement was made in the duke's court at Preston between Roger la Warre, knight, and Alionora, plaintiffs, and John la Warre, knight [the son of Roger's first marriage], and John Wyke, deforceors, or deforceants, of the manor of Manchester and the advowsons of the churches of Manchester and Ashton—[See Records of the Duchy, and Kuerden's MSS., &c., as quoted by Baines, vol. i, p. 347, and vol. ii, p. 190, 193, and 535.]

We know nothing more of these law pleas than is contained in the following brief notice, which I have endeavoured to amend from a rather inaccurate copy published in the History of Lancashire, vol. ii, p. 190.

Hec est finalis concordia facta in curia Domini Ducis apud Preston die Lune in crastino Sancte Marie Magdalene anno Ducatus Henrici Ducis Lancastrie octauo coram Thoma de Seton Henrico de Haydoke Johanne Cokayne et Rogero de Faryngton Justiciario et aliis Domini Ducis fidelibus tunc ibi presentibus. Inter Rogerum la Warre chivaler et Alionoram uxorem ejus querentes, et Johannem la Warre chivaler et Johannem Wyke deforciantes de manerio de Mancestre cum pertinentibus et de aduocacionibus ecclesiarum de Mamcestre et Ashton Vnde placitum conuencionis summatum fuit inter eos in eadem curia Scilicet quod predictus Rogerus recognoscat predictum manerium cum pertinentibus et aduocaciones predictas esse jus ipsius Johannis la Warre vt illa que ijdem Johannes et Johannes de Wyke habent de dono predicti Rogeri Et pro hac recognicione fine et concordia ijdem Johannes et Johannes concesserunt predictis Rogero et Alionore predictum manerium cum pertinentibus et aduocaciones predictas Et illa eis reddiderunt in eadem curia habenda et tenenda ejusdem Rogero et Alionore et heredibus ipsius Rogeri de capitalibus Dominis [feodi] illius per seruicia que ad predictum manerium et aduocaciones pertinent imperpetuum.

LANCASTRIE.

What this plea can exactly mean, it is difficult to say. John la Warre and John de Wyke, probably a kinsman of Thomas de Wyke, rector of Manchester, are introduced to us as deforceors, or deforceants of the manor of Manchester, and of the advowsons of the churches of Mamcestre and Ashton. Now, according to lawyers, a deforcement (deforciamentum), is a term used when any one is cast out of his lands or possessions by force, —or, it is a withholding of lands or tenements by force from a right owner:—while a deforcior, or deforciant, is one who overcomes and casts forth

by force and violence,—or who holds out against the right heir,—or who enters forcibly into the possession of a property before the law has decided his right therein.—[See Jacob's Law Dict.: In voce deforcement.]

In keeping these definitions in view, I shall,—with the assistance of a friend more conversant with the imaginary processes of ancient law courts relative to tenure, than I profess to be myself,—attempt to divest this suit of some part of its mystery:—

The effect of this instrument, so far as it affects the rights of Alionora la Warre, would be to give to her, in case she should survive her husband, a life estate in the whole of the hereditaments, in lieu of a life estate in a third part only, to which she would have been entitled as her dower at common law. And, in consideration of this gift, she probably, by some other fine, released other lands and hereditaments of Roger la Warre (mayhap in some other county), from her right of dower.

§ 10. THE PRIVILEGES OF MANCHESTER AS A FREE BOROUGH ARE DISPUTED.

Henry, Duke of Lancaster, was a munificent prince, by whom the monastery and the parish church were alike endowed. The possessions which he held in the hundred of Salford were very great, and he was jealous of any infringement upon his influence, or power, particularly by his neighbour, the baron of Manchester. West Derby manor, and Salford manor, with the annexations of divers feuda were held by him as from the honour of Tuttebury, viz.:—Childwall, Burghton, Barton in Salfordshire, Asphull, Brokholes, Dalton, Parbold, Withington, Lostock, Rumworth, Pilkington, Worthington, Heton-subtus-Horwich, Tildesley, and Barton.—Other possessions adjoining the barony of Manchester, and apparently unconnected with the honour of Tuttebury, were Great Penhulton [Pendleton?], Great Merley, Bury, Middleton, and Penhulton in Salfordshire. There was also ascribed to him lands at Flixton, Tildsley, and Bedford.

When Henry, Duke of Lancaster, had the territories of a petty sovereign conceded to him, he seems to have been actuated with the wish to suppress many local courts of jurisdiction, which had infringed upon the sphere of jurisdiction enjoyed by him in the hundred of Salford, as well as in other parts of the Honour of Lancaster. With these ambitious views, his attention was particularly directed to the newly-created portemanmote of Manchester, and to the necessity of limiting the privileges of the baronial court of Roger la Warre.

In the creation of a newer court of justice for the burgesses of Manchester, a great question had certainly been overlooked.

It had been inferred, from a regulation of Edward the Confessor, that, if the lord had full jurisdiction equal to that of the sheriff, namely, the privilege of holding both criminal and civil pleas in a court leet and in his court baron, as the sheriff had in his tourn and hundred courts,—that, in this case, the jurisdiction of the sheriff would be excluded. Accordingly, when Ranulf de Blundeville, lord of the wapentake of Salford, granted a portemanmote to the borough of Salford, a jurisdiction equal to that of the sheriff must have certainly subsisted. But it must also be kept in view, that to the same Earl of Chester had been intrusted the custody of the Honour of Lancaster. It was impossible, therefore, that the functions of the new portemanmote of Salford would be overruled either by the hundred court of Salford, of which court the portemanmote was merely part and parcel, or even by the sheriff's tourn held within the Honour of Lancaster.

But, with regard to the portemanmote of Manchester, the circumstances were widely different. Thomas Greslet, a former baron, owed an ancient service to the court of the Salford wapentake, which had rendered his newly-created portemanmote an inferior tribunal, incapable of excluding from any interference with the jurisdiction of Manchester, the bailiffs of the wapentake of Salford, much less the bailiffs of the sheriffs' tourn. This inferiority is evident from the state of the law at that time, as it has been explained by Messrs. Merewether and Stephens (in vol. i, p. 52, of their work), after the following manner:—"If the lord has only a partial jurisdiction either with respect to the subject to be inquired into, or the persons to be subjected to the inquiry, then the sheriff would be obliged to interfere in all criminal matters: or, if he has only a jurisdiction over his own tenants, then the freemen, and all others residing in the district, would be under the jurisdiction of the sheriff, who would be obliged to interfere. And in neither of these cases would the sheriff's jurisdiction be ousted,—but the place, though the land belonged to the lord, would continue to be part of the shire."

Such were the grounds of the dispute, which arose in the year 1359, between Henry, the first Duke of Lancaster, and Roger la Warre, the inhabitants of the town having been amerced by the bailiffs of the duke in damages, to the prejudice (as it was alleged) of the lord of Manchester. For the settlement of the matter at issue, the duke, in 1359, caused an inquisition to be taken at

Preston, before Thomas de Seton, and others, his justices, by the oaths of John Ratcliffe, Oates Halsal, Roger de Bradshagh, Henry, son of Simon de Bickerstath, Robert de Trafford, Adam de Hopwood, Roger de Barlow, John del Hoult, Robert de Hulme, John de Chetham, Thomas de Strangewayes, and John de Scholefield, who (as it is added) were "brought in upon their oaths; that the sayd Roger and his ancestors, time out of mind, held the towne of Manchester, not as a burrough, but as a market towne, enjoying some priviledges, as infangtheife, breaches of the peace, assize of bread and beer, waif and stray, punishment of butchers, tanners, and retailers, gallows and tumbrel, fair and free warren."

Farther than this brief summary of the dispute, as revealed to us by Hollinworth, and a notice to be found among the Harleian manuscripts, we know nothing. It would appear, first, that the lord of Manchester had no judicial privilege to which he had a legal claim, except that of his court baron;—secondly, that there could be no judicial officer appointed by the lord of Manchester, whose general authority was equal to that of the lord of the wapentake of Salford, or to that of the sheriff's tourn;—thirdly, that the jurisdiction of the wapentake of Salford, as well as of the sheriff's tourn, would, of course, continue to be in force within the town of Manchester in all cases, except such as related to the lord and his tenants, which, according to ancient usage, would be determinable by the court baron;—and, fourthly, that the newer portemanmote of Manchester was merely a subsidiary court of the said court baron.

As for the exclusion of Manchester from the list of English free boroughs, this disparagement was doubtless suggested by the angry feelings of the Duke of Lancaster. Manchester was strictly a borough, or pledged town, and it possessed sufficient privileges, by the charter of Thomas Greslet, to entitle it to the name of a free borough. But, at this time, there was an unwillingness to dignify any town with the name of "free borough," unless it possessed a jurisdiction competent to the exclusion of the sheriff's tourn,—which Manchester did not. There was, also, an unwarrantable liberty everywhere taken with boroughs:—they were not unfrequently seized into the king's hands for the purpose of extorting money, and, when payments were made, they were indulged, by the force of new charters, with regrants, or confirmations of their ancient privileges.

It is related, that, at this time, the whole rental of the lord of the manor, derived from his possessions within the hundred of Salford, amounted to £137 19s. 6d.

§ 11. THE NAMES OF TWO CHAPLAINS OF MANCHESTER.

These two chaplains were Galfridus de Bexwyck and Roger de Mamcestr.

The ancient family of the Beswickes is associated with the history of the most valued foundations of Manchester, namely, those of the Collegiate Church and Free Grammar School. Nor has Manchester in any period been enabled to boast of inhabitants more devoted to its weal, than those who during many generations have borne this honoured name,—for which reason, I have felt anxious to record the name of a chaplain, Galfridus de Bexwyck, who administered to the sacred duties of the church so early as 1361. Whether he was a chaplain of the parochial church of St. Mary, or of the chapel founded by Robert Greslet, is not known. His name appears in two documents, information of which I owe to the kindness of a reverend gentleman, who, from his near connexion by marriage with the Beswickes of Pike House, near Rochdale, the representatives of the family, has had access to valuable archives, whence I have derived (as will be seen in other portions of this work) much valuable information relative to the early ecclesiastic state of Manchester.

The first of the documents adverted to, bears the date of the 35th of Edward the Third (A.D. 1361-2), William de Mamcestr et Galfrid de Bexwyck grant lands to Thurstan de Holand which they had from Thomas de Albany of Ael Pike in Denton subter Deneshagh:—divers remainders &c. And in a second document, of the date of 38th of Edward the Third (1364-5), Roger de Mamcestr et Galfrid de Bexwyck, Capellani de Mamcestr, convey messages in Wythington to Thurstan de Holand. Date 11th Feb.

Of the family of Roger de Mamcestr, nothing satisfactory is known.

Mr. Raines gives me the additional information, that in another deed, the notice of another Beswick in holy orders was to be found; but as the document was without a date, it cannot be assigned to a proper place in this history.

The memorandum sent me is as follows:—Thomas, son of Roger de Mamcestr, grants to Roger de Pylkyngton the lands which Adam de Pylkyngton held in Sharples, and which Geffrey de Mamcestre, Esq., his uncle, gave to Mabel, wife of the said Adam. Hiis testibus, Domino Johanni Byron, Thoma de As'ton Rogero de Mydelton Adamo de Prestwyck Thoma de Heton Henrico de Workedslegh WILLIELMO CLERICO DE BEXWYCK, et aliis.

[From a communication of the Reverend F. R. Raines, M.A., Incumbent of Milnrow, near Rochdale.]

§ 12. THOMAS, THE SON OF THOMAS DEL WYKE, RECTOR OF ASHTON.

The following notice appears in Vernon's extracts from the episcopal registers of Lichfield:—

Time of Presentation.	Rector.	Patron.
1362. 4 Id. Maii.	Tho. fil Tho. del Wyke.	Rog. la Ware.

The cause of vacancy is left a blank.

As a conjecture only, I have suggested, that the father of this present rector of Ashton, Thomas del Wyke, of the same name with the son, might have been the rector of Manchester, who, before he took orders, had been a widower. The reasons for this supposition have been already fully explained.—[See page 105.]

§ 13. ROGER LA WARRE IS ENGAGED IN THE CAMPAIGNS OF HIS SOVEREIGN.

During the term of three or four years, we have little or nothing recorded of the state of Manchester, or of its church. Roger la Warre was frequently serving with the king's army in France. In the 34th of Edward the Third, he was taken prisoner by Jo. Haubert. Two years afterwards, he was summoned to parliament. A mandate then came down to the sheriff to raise soldiers, men-at-arms, and archers, to march against the Scots in Salfordshire. In 1364, Roger la Warre was again in the wars, serving in the retinue of Prince Edward.

In 1366, we find John of Gaunt (late Earl of Richmond), who four years previously had succeeded to his father-in-law, Henry, Duke of Lancaster, invested with the title and honour of the dukedom, and engaged in the wars with France.

In 1368, Roger la Warre was sent to Calais with the earls of Salisbury and Warwick, accompanied by five hundred men-at-arms, and five hundred archers. And, in 1369, four hundred archers of Lancashire were required to accompany John, Duke of Lancaster, to Aquitaine.

§ 14. THOMAS DEL BOOTH PROMOTES THE BUILDING OF A BRIDGE FROM MANCHESTER TO SALFORD, AND ALSO FOUNDS A CHAPEL ON THE BRIDGE.

John del Booth, supposed to have not been above the rank of yeoman, married, about the beginning of the reign of Edward the Second, Loretta, daughter and heiress of Sir Gilbert de Barton. A son of this marriage was John del Booth, who had for a grant of arms, a chevron, engrailed, in a canton, a mullet: the crests a Catherine wheel and an agnus dei.

Thomas del Booth, living at Barlow, in the parish of Eccles, was rich in land, houses, and

cattle. Besides his paternal estate near Eccles, he purchased from Sarah de Wakerlegh, of Salford, an estate at Bradford, near Manchester. In the year 1368, while he was in good condition and health, he made his will, the particulars of which shew his great wealth in lands, houses, money, and cattle. Among numerous legacies he directs, that thirty pounds be paid towards erecting the bridge of Salford, in instalments of ten pounds annually.

As Thomas del Booth, however, lived five years after the date of his will, there is no doubt that the whole, or the greatest part, of the bridge was completed in his lifetime, and that the building had commenced on or before the year 1368.

To the same John del Booth the building of an ancient chapel, situated on the bridge, is attributed, which arrested the prayers of the pious traveller. It stood on the Salford side of the river, and, according to tradition, prayers were wont to be made in it for the repose of the soul of the founder.—[See the will, &c., in Baines's Lancashire, vol. ii, p. 198-9, and vol. iii, p. 117.]

§ 15. THOMAS DE WYKE, RECTOR OF MANCHESTER, WITH VARIOUS CHAPLAINS, ARE RECORDED IN THOMAS DEL BOOTH'S WILL OF 1368.

In the will of the date of 1368, made by Thomas del Booth (as just described), there is mention of "Thomas de Wyke, parson of Manchester, one of the executors of the testator, to whom was left a 'molus sifin' (?) of silver."

Is this name correctly copied? By the term "molus sifin," was there not meant a "meal ciffine," or sieve, of the olden times?—which, from its being wrought of silver, might have been used for sifting, or purifying the meal, or flour, from which the consecrated hosts were baked,—agreeably to the mode adopted by the Cluniac monks of Kersall.—[See page 29.]

The names also of various chaplains are stated; but whether they belonged to the church of Eccles, or of Manchester, in both of which parishes the testator held property, is uncertain. He left to John Botterley, chaplain, ten marks;—to Roger Flour, chaplain, xx^s;—to J. Brundbadley, chaplain, half-a-mark, and to William de Fere, chaplain, three cows and a calf.—[Baines's Lancashire, vol. ii, p. 199.]

§ 16. THE ADVANCEMENT OF EDUCATION AT THIS TIME.

The father of Thomas del Booth had dignified the family by his marriage with the heiress of the Bartons, and as he was a yeoman, he well knew the blessings of education, and could impress

upon the minds of his children a due sense of all its advantages. We accordingly find, that Thomas del Booth, in his will, left thirty pounds (a great sum in those days) for the support of his son at school.

A bequest of this kind, from one whose family had but recently risen from the rank of yeoman, is not without interest. It has been remarked, by such historians as have treated of the fourteenth century, that "while the higher classes were too much engaged with the diversions of the field to pay attention to literature, the cultivation of it was unfortunately left to monks, or to meaner men. During the whole day, the gentry were addicted to hawking and hunting, it being then thought sufficient for noblemen to wind their horn, and to carry their hawk fair, and leave study and learning to the children of meaner people." The cause of literature and learning being thus neglected, was, consequently, taken up by the yeomen, who, according to Holinshead, being wealthy, sent their sons to the university. The first happy fruits of this cultivation of learning among the descendants of the yeomen, was that increase of knowledge which led to the great religious reform of England.

As Thomas del Booth lived five years after the date of his will, it is probable that he would himself witness the completion of his son's studies.

A blessing seems to have attended the care taken by Thomas del Booth towards the education of his family, as among his descendants, remarkable for the dignities which many of them attained, may be enumerated two archbishops.

§ 17. DEMISE OF ROGER LA WARRE.

By a will dated 28th April, in the 42nd of Edward the Third (1368-9), Roger la Warre directed his body to be buried in the abbey of Swineshead, in the county of Lincoln, without pomp. He died in the 44th of Edward the Third (1370-1).

Roger la Warre, chevalier, and Alionora his wife, along with lands in the counties of Berks, Wilts, Leicester, Rutland, Somerset, Salop, Hereford, Northampton, Sussex, and Lincoln,—held, in Lancashire, Mauncestre manor, and the advowsons of the churches of Mauncestre and Assheton, and the manor of Kuerdeleghe, as from the honour of Halton.

The issue of his marriage with Elizabeth, daughter of Adam, the third baron of Welles, was John la Warre, his heir, and Thomas la Warre, who was destined for the church.

That of his marriage with Alionora, daughter of John, Lord Moubray, was Johanna, who married Thomas, the third Baron West.

CHAPTER IV.

EVENTS DURING THE BARONIAL SWAY OF JOHN LA WARRE, THE ELEVENTH LORD OF MANCHESTER.

At the time when Roger la Warre died, the county of Lancaster was most actively employed under the commissioners of array, appointed by royal mandate, in obtaining the enrolment of four hundred archers to accompany John, Duke of Lancaster, to Aquitaine. Accordingly, the sheriff of Lancaster was commanded to array all men capable of bearing arms, between the ages of sixteen and sixty years, in order to resist the French, who threatened to invade England, to obstruct the passage of merchants and merchandise, and to abolish the English language. The men-at-arms, hobelers, and archers, were required to be in readiness by Palm Sunday, 1370, while all vessels between twelve and forty tons burthen, lying between the ports of Liverpool and Chester, were ordered to be sent to Southampton and Plymouth, there to embark in the expedition of John, Duke of Lancaster, to Aquitaine.—[Baines's Lancashire, vol. i, p. 353.]

It was at this period, that John, the son and heir of Roger la Warre, who had married Margaret, daughter of Robert de Holland, chevalier, succeeded at the age of twenty-six to the barony of Manchester. At the time of his father's death, he was with Prince Edward in France, for which reason his homage was respited.

§ 1. THOMAS, BROTHER OF JOHN LA WARRE, APPOINTED, PRO TEMPORE, TO THE VACANT RECTORY OF ASSHETON-UNDER-LINE.

While John la Warre was absent in the foreign service of his country, which absence had prevented him from taking formal possession of the estates of his late father, the rectory of Assheton fell vacant by the death of Thomas del Wyke, named "Thomas, filius Thomæ del Wyke." During this interval, Sir Louis Clifford had ward of the estates of the baron of Manchester, to whom he was uncle. Sir Louis, who had married Eleanor la Warre, was the son of Sir Roger Clifford of the county of Durham. He possessed court interest, and was strongly attached to the reforming principles of Wycliffe. Having, therefore, by the absence of John la Warre, become a patron pro tempore of the living of Assheton, he was naturally on guard against the pope's emissaries, who were ever vigilant in seizing opportunities to usurp any advowson which might favour foreign presentees, under the character of papal provisors. With this object in view (of which there can be little

doubt), he inducted into the living, Thomas, the brother of John la Warre, who had taken orders. Accordingly, in Vernon's extracts from the episcopal registers of Lichfield, the entry of the patronage of Ashton rectory is as follows:—

Time of Presentation.	Rector.	Patron.	Cause of Vacancy.
1371.	Tho. de la Ware.	D'nus Ludovicus Clifford Miles.	p. m. Thomæ de Wyke.

The presentation of Thomas de la Warre to the vacant living of Ashton, through the patronage of a great espouser of Wycliffe's schemes of reform, is an interesting illustration of the stand then made against the provisions of the Roman see.

§ 2. JOHN LA WARRE TAKES POSSESSION OF HIS ESTATES.

In 1370, John la Warre had been summoned to parliament, subsequent to which, in the course of a year or two, he returned from his foreign campaigns to take possession of his estates. John of Gaunt then appeared as a distinguished character, whose prerogative of jura regalia, in the county of Lancaster, had been greatly enlarged by other royal honours. Under this great chief, John la Warre became feudatory, doing homage for the following places:—Haigh, Bolton Parva, Brightmet, Crompton, Brughton, Barton in Salford, Childwall, Aspull, Brockholes in Amounderness, Dalton in Derby Hundred, Parbold, Wrightinton, and Heton-subtus-Horwich. After John la Warre had been invested with the possession of his barony, he returned the same year to France.—[Baines's Lancashire, vol. i, p. 355, and vol. iv, p. 824.] John la Warre afterwards made over to Robert de Holland Dalton manor, and a sixth part of Harwode manor, to be held as from the manor of Manchester, while Nicholas de Longford was confirmed in the possession of Withington manor, which he held along with a section of judge's service. In another record we find, that John la Warre had the manors of Brislington and Somers and of Isefield in Sussex, along with manors in Gloucestershire, Wilts, Lincolnshire, and Lancashire.

§ 3. DEATH OF THOMAS DEL BOOTH.

In the year 1373, being about five years subsequent to the date of his will, Thomas del Booth died, rich and full of years. In bequeathing his soul to God, and the blessed virgin, and all the saints, he left his body to be buried in the church of Eccles, before the altar of the Holy Katherine the virgin, and the best of his cattle to be given to the priest as a mortuary.

He also directed in his will, that there should be paid to two chaplains the sum of £66 13s. 4d.

before the altar of Saint Katherine, in the church of Eccles, for masses to be sung for the soul of Edward the Third, for the soul of Roger la Warre, for the soul of Thomas de Booth and his father, for the soul of Roger de Hulton, and for the souls of all benefactors of the said Thomas. The chaplains to receive five marks each during ten years, until the hundred marks were exhausted.

§ 4. THOMAS LA WARRE RESIGNS THE LIVING OF ASHTON TO JO. DE MARCHFORD.—A.D. 1373.

Thomas la Warre would seem to have kept possession of the rectory of Ashton, until his brother's return from abroad, for no other purpose than to protect the patronage of the family from being usurped by the papal influence. He then resigned the incumbency in favour of John de Marchford, as is shewn in an entry from Vernon's extracts:—

Time of Presentation.	Rector.	Patron.	Cause of Vacancy.
1373.	Jo. de Marchford.	Dominus Jo: la Ware Miles.	p. resig. Magis- tri Tho. de la Ware ult. rect.

§ 5. DID THOMAS LA WARRE, ABOUT THIS TIME, SUCCEED TO THOMAS DEL WYKE IN THE INCUMBENCY OF MANCHESTER?

In Vernon's extracts from the cartulary of Lichfield, the presentation of Thomas del Wyke, in 1351, to the incumbency of Manchester, is the last which is recorded. Neither is any mention made of the date of this rector's demise. Hollinworth, however, who evidently quotes from records which he has examined, states, that Thomas la Warre was admitted rector, and had a license granted him to be non-resident, and that he was the last parson of Manchester.

§ 6. THE EARLIEST CHURCH WHICH WAS BUILT WITHIN THE FORTIFIED PRECINCTS OF THE BARON'S HULL.

It cannot be very far from this period that a church, formed chiefly of wood, after the manner of ancient timbered houses, was erected within the fortified precincts of the Baron's Hull.

Before the present church of stone appeared, there stood, according to Hollinworth, "a vast wooden building not much unlike, save that it was more adorned, to the booths where the court leete, court baron of the lord, and the quarter sessions are now kept."

A suspicion consequently arises, that the site of the Baron's Hull was beginning to be less used for civil than for ecclesiastical purposes, and that it served, at the utmost, as an occasional residence only for the baron. Nor is the conjecture less

plausible, that the baronial mansion, along with the new church which was built adjoining it, became devoted to the exclusive use of Thomas la Warre, as a residence more befitting the younger son of the lord of Manchester, than the parsonage house of Denesgate.

But did Roger, or John la Warre, in memory of their respective feats on the plains of France, dedicate a church to the two great patron saints of the conflicting nations conjointly?—agreeably to the saw of the old English ballad,

Sing Honi soit qui mal y pense,
Saint George he was for England, Saint Dennis
was for France.

The church was assuredly dedicated to Saint George and Saint Dennis; but whether to Saint Mary also, as some allege, is doubtful, as the church to the virgin was at this time in actual use.

Two curiously carved heads, introduced as ornaments upon the front of two very old houses at the upper end of Long Millgate, are said to have been brought from this church. The preservation of these interesting relics within the present Collegiate Church, is due to the Reverend Canon Wray. They are placed behind the altar-screen.

§ 7. JOHN DE MARCHFORD RESIGNS THE LIVING OF ASHTON TO HENRY NETTLEWORTH.—A.D. 1374.

The tenure of John de Marchford in the rectory of Ashton was a very brief one. In the following year (1374), he was allowed to transfer it, by exchange, to Henry Nettleworth, rector of the church of Wakerley in the R. deanery of Weldon, Northamptonshire. The entry from Vernon's extracts is as follows:—

Time of Presentation.	Rector.	Patron.	Cause of Vacancy.
1374.	Henricus Nettleworth Rector ecclesie de Wa- kerley.	Dominus Jo- hannes la Ware.	Permutatio cum Jo de Marchford.

After this induction, no other presentation by the lords of Manchester is entered in the cartulary from which these various notices have been derived.

In these dispensations of patronage, it does not appear that the emissaries of the pope had interfered. In 1373, Edward the Third claimed, that Gregory the Eleventh should desist from the reservation of benefices in the English church, and that all reservations which had actually taken place should be revoked;—to which proposition the pontiff made at least a promise,—by agreeing that the practice of granting provisions should be abandoned.—[Tierney's edition of Dodd, vol. i, p. 151.]

§ 8. THE DUKE OF LANCASTER AIDS THE ATTACKS OF WYCLIFFE AGAINST THE PAPAL SUPREMACY.

The authority claimed by the pontiff of communicating or withholding the privileges of the church, usually named the power of the keys, was first disputed by Wycliffe, who maintained, that such a power belonged only to God, the Father of heaven. In the various and successive arguments which the reformer employed, he was so successful as to shake the sovereignty of the pope to the very foundation. One of the first fruits of it in England was to cause Edward the Third, with the advice of his parliament, to brave the menaced censures of the church, and to withdraw the tribute, which, ever since the days of John, his predecessors had paid to the court of Rome, as a token that they held their lands from the pope by such a feudal acknowledgment, agreeably to the act of investiture and oath of fealty imposed upon each successive sovereign. From this time, therefore, the kings of England ceased to be vassals of the Roman see.

The next national question occurred upon the occasion of the court of Rome having demanded an aid which it was not convenient in the nation to grant. It was then asked, if a kingdom, in case of necessity and defence, might not detain its treasure that it be not conveyed to foreign nations, even though the pope himself should demand the same under pain of his censures, and whether the money actually collected for the use of the pope might not be applied to the service of the realm?

Wycliffe was supplicated to furnish a reply, which was to the effect of denying that any Divine power had been given to any creature for such a purpose;—that every contribution made to the pope was strictly in alms, which might be withheld when the wealth of the pontificate had surmounted its embarrassment;—and that the pope had no right to possess himself of the goods of the church, as though he were the lord of them, in the place of being, what he really was,—merely a minister or servant.—[Vaughan's Wycliffe, vol. i, p. 344-7, &c.]

While Wycliffe was thus employed in discussing these as well as other national questions of a similar import, the cause of the reformer particularly recommended itself to the most influential personage at the helm of government—JOHN OF GAUNT, Earl of Richmond, the fourth son of Edward the Third, who, at this time, was in the full tide of his surpassing wealth and honours. In 1362, by the death, without issue, of his sister-in-law, Matilda, one of the two coheiresses of Henry, late Duke of Lancaster, who had survived her father a year only,

John of Gaunt had succeeded to the undivided possessions annexed to the title of "fifth Earl and second Duke of Lancaster," which he enjoyed by right of his wife, the Lady Blanch, or Blanch Plantagenet. In 1369, he had found himself a widower, with an infant son left to his charge, Henry of Bolingbroke. In 1371, he had married, for his second wife, Constance, daughter of Pedro el Cruel, King of Spain, by which marriage he became titular King of Castille and Leon. And on the 28th February, 1377, by a charter of this date, the county of Lancaster, under his control, was created for his life into a palatinate.—[See Introduction to the Charters of the Duchy of Lancaster, edited by W. Hardy, Esq., 1845.] Much to the satisfaction of the nation, he had concluded a treaty of peace with Flanders, as a reward for which and other services, the grant of a court of chancery in the duchy of Lancaster had been made over to him, along with the prerogatives of *jura regalia*.

John of Gaunt was indignant at the exorbitant power of the church. In the support, therefore, which he gave to Wycliffe against ecclesiastical abuses, he interfered to rescue him from the hands of his enemies, the chief of whom was the Archbishop of Canterbury, who first undertook to punish the new crime of heresy.

In the year 1377, King Edward died, being succeeded by his grandson, Richard the Second, then only eleven years of age. The Duke of Lancaster thereby exercised a regency and viceroyalty; all great measures being dated from the palace of the Savoy, or from the castle of Lancaster.

About this time a strong popular excitement was created against foreign mendicant friars. Their unpopularity was the greatest during the time of Wycliffe, who, when a teacher at Oxford, during the agitation of a question affecting the immunities of the college, stigmatised them as the Pharisees, the Sadducees, and the Essenes of holy writ.

But, perhaps, a greater objection to the mendicant order arose from the suspicion, that they administered to the designs of the Roman see, in upholding that influence in temporalities, against which the civil power had protested. The Freres were accordingly denounced as doing their utmost to involve the country in a religious war.

It was upon these political grounds, no less than owing to other objections industriously promulgated by Wycliffe against the mendicant order, that John of Gaunt sought to carry out the views of the reformer by their suppression. He, therefore, in the 1st of Richard the Second, ordered that all foreign mendicant friars within the duchy of Lancaster should quit the realm.

In the mean time, the episcopal interest became

powerfully opposed to the progress of reform. The bishops were warned by John of Gaunt to stay all hostile proceedings against Wycliffe, but, as the duke's power fell far short of what it had been in a preceding reign, having visibly declined, articles of accusation, founded on the determination of the pope to proceed against the reformer, were renewed. Wycliffe then found a ready friend in Sir Louis Clifford, who, in the name of the queen-mother, stayed the Bishop of London's sentence.

§ 9. WYCLIFFE POPULARIZES THE PRINCIPLES OF REFORM.

At length a more general spirit of examination began to prevail. The later acts of Wycliffe's life, after he had accepted the living of Lutterworth, became devoted to the object of popularizing the principles of reform.

With the view of making proselytes from the humbler ranks of society, Wycliffe formed to himself an ideal standard of priestly perfection, with which he might compare the mode in which the functions of the clergy were actually exercised. This is shewn in his treatises on the Levitic priesthood, on the priesthood of Christ, on good priests, on the official duty, *de episcoporum erroribus*, and *de curatorum erroribus*. He inquired,—how priests ought to be paid? “They hold themselves to be paid,” he replied, “with food and cloathing,” as Saint Paul teacheth, “but if they have more than this, it is poor men's goods of which they are keepers, as the procurators of poor men.” He also defined their duties to consist “in helping their brethren to heaven-ward, both by teaching, praying, and ensample giving,” adding that “they fulfil this by great run of charity as did Christ and his apostles, while they have time, bodily strength, and youth.”—They flee, he continues, from one city to another when they are pursued of anti-christ's clerks, as did Christ and his apostles. They take such alms of the people whom they lead as are given willingly and devoutly, instead of taking dimes and offerings ordained by the customs of sinful men. Being stirred by the Holy Ghost, they go and dwell among the people whom they are likely to most profit. They are thus opposed to the simony, covetousness, and idleness of worldly clerks.—[*Gilpin's Life of Wycliffe*, p. 93-101.]

In entertaining these sentiments of pastoral perfection, Wycliffe encouraged by his own example the preaching to the poor. He enlisted in the cause of reform a chosen number of enthusiastic disciples, who, in travelling about barefooted, in long frieze gowns, under the name of “Wycliffe's poor priests,” preached daily in churches, church-

yards, markets, or fairs, not only edifying the inhabitants of adjoining parishes, but, as apostles or missionaries of a reformed faith, popularizing the principles in which they had been instructed, through less contiguous, and even remote or widely-spread districts.

Wycliffe, while thus employed, encountered a severe illness, but, upon his recovery, he renewed his apostolic labours with increased vigour. In the promulgation of Divine truth, he confined the attention of his disciples to two subjects, namely, to the sacraments of holy church, and to the inspiration of the sacred writings.

The sacraments of holy church were then regarded as seven, namely, baptism, the Lord's supper, confirmation, penance, matrimony, extreme unction, and ordination. But as these sacraments were crowded with ceremonies, many of which, according to the ideas of theologians, enveloped within them momentous truths, Wycliffe treated the whole with a delicate hand, having been aware to what extent symbols formed the popular language of the epoch in which he lived. He was careful, therefore, in distinguishing the truths conveyed in the sacraments from the ceremonies with which they were clothed, by defining a sacrament to be “a token that might be seen of a thing that might not be seen,” and by denouncing all unmeaning or idle ceremonies attached to them, as being of no use in themselves, nor as having any foundation in scripture.

In short, Wycliffe had considered that the time had arrived, when, in order to keep pace with the increasing intelligence of the masses, religion might be presented to them in a less figured language, approaching more and more to the plainness and preciseness demanded by reason and philosophy. Hence the propriety of the distinction which Wycliffe made between the thing which was not visibly seen, being the veiled religious truth, and the token by which what is veiled became manifest and comprehensible.—[*Gilpin's Life of Wycliffe*, &c., p. 62, and seq.]

But the great triumph of the reformer over the symbolic form of worship, consisted less in denuding the sacraments of many vain ceremonies with which they were perplexed or veiled, than in a dissemination of the holy scriptures, a translation of which, between the years 1378 and 1382, he had, with great labour, effected. His mission then appeared to him as on the eve of completion. “If we had a hundred popes,” he exclaimed, “and if all the friars were cardinals, to the law of the gospel we should bow more than to all this multitude.”—[*Vaughan's Wycliffe*, vol. ii, p. 302, and *Gilpin's Lives of the Reformers*, p. 36-39.]

§ 10. THE EFFECT OF WYCLIFFE'S MISSION ON THE SOCIAL AND POLITICAL STATE OF ENGLAND.

The object of popularizing the principles of religious reform was, with Wycliffe, less an act of hostility to existing establishments, than a desire to impress upon the popular conviction what doctrines had been suppressed, or thrown into the shade, which, if reproduced, might operate advantageously upon society, so as to stem the gross disorders which had arisen no less from ecclesiastical avarice, luxury, and neglect, than from the feudal tyranny which was bringing the Kentish men into the field of civil conflict, and in Lancashire and other counties was inciting to the most outrageous acts of civil insubordination.

In the course of this history, I have availed myself of various occasions to draw the contrast between the two social states of civil freedom and of vassalage, as they existed not only in Manchester, but likewise in every other part of the kingdom.

The villein of the Anglo-Norman period, like the modern slave of the western world, was born a slave, and was rendered amenable to a villein parentage for the abject state in which he was regarded by the laws. But he differed from the absolute slave of Saxon times, inasmuch as he could not be personally sold in a slave market, or, in other terms, could not be sold detached from the estate wherein he was nourished and dwelt.

Among the numerous civil disabilities incidental to the state of villeinage, all of which I have explained, the most intolerable in its consequences was that which resulted from the feudal principle, that every thing of which a villein might appear to stand possessed, was actually the property of his lord. Hence the inability of the villein to engage in any trade, or commerce, as he was not legally entitled to enjoy the fruits of his own manual labour;—hence also the failure which would accrue to him in any appeal of “mayhem” [bodily injury] against his lord; for, however entitled he might be to pecuniary damages,—agreeably to the ancient tenor of the Saxon laws, which fixed upon the loss of different limbs or parts of the bodily frame, proportionate and definite sums,—the lord could legally retain in his hands the remunerating amount awarded, as his slave was not capable of possessing any property whatever. Slight, also, were the gleams of hope for a deliverance from this galling state of thralldom. As every thing of which the villein was possessed might be claimed by his lord, his redemption could not be accomplished by any purchase effected from his own resources, but must depend (as was laid down by lawyers) upon the aid

to be derived from some charitable freeman, a stranger to the lord's domains. In short, the only mode left to the villein of effecting his deliverance, was that of clandestinely contriving to reside within a privileged town for a year and a day, when the emancipation which ensued would be irrevocable,—agreeably to a humane statute passed in 1369, which declared, that if a villein became once free, he never again could return to the state of villeinage.

Recently, however, some degree of amelioration had taken place in the condition of villeinage by the springing up of a description of tenants, named “bondage tenants,” or, more frequently, “tenants at will,” from their holding lands at the mere will of the lord. Besides paying an annual rent, they were still subjected to services of a base and servile kind, such as were required by the cultivation of the lord's distinct demesnes at seed time and at harvest time,—services, however, which still left most of the time of the tenant at his own disposal, and secured to him the greatest share of the profits of his own industry. Such an emergence from a persistent, and almost absolute state of bondage to one which was limited in extent and duration, rendering at the same time the bondage tenant law-worthy, and placing his property, limbs, and life, under the protection of the civil constitution, was no little concession to the growing intelligence and civilization of the age.

Such was the first, yet imperfect state of manumission, little relished by the proprietor, in favour of the enslaved dependants attached to his estate. But the privilege did not go far enough.—It happened that, in the reign of Richard the Second, great discontent had been excited by the heavy taxes imposed upon all classes of subjects for the purpose of securing the possession of Cherbourg, Brest, Calais, Bourdeaux, and Bayonne. The levy was adjusted according to the rank of the cesspayer, and collected from all of the age of fifteen. Of the very general restlessness thus excited, such of the discontented as were of the grade of villeins, or bondage tenants, took advantage;—of which grade the mass of the insurgents was formed. In lieu of the vague and galling services required by a state of villeinage, they demanded stated rents in lands, as well as the alleviation of such restrictions placed upon industry, as were caused by the tolls and imposts levied in market towns.

It has been denied, that the exciting cause of this movement was due to the Christian doctrines promulgated by John Wycliffe and his “poor priests,” although, in holding up the example of Constantine the Great, they made an irresistible

appeal to the freedom and intelligence of man, who, in comprehending his own instincts and tendencies, professed, when most formidable under the incitement of rebellion, to respect them as they were to be found in others. This was the offence for which John Ball, the preacher, one of Wycliffe's poor priests, was stigmatized,—an offence which threw such unmerited obloquy on the doctrines of the great reformer.

But how could a different result have been expected? It is a great mistake, even of the present enlightened period, to imagine, that the predominance of any particular feature of religious doctrines can have no corresponding degree of influence upon civil institutions. In the form which slavery took in the middle ages, it eventually yielded to the doctrine which teaches us, that "God is no respecter of persons," and that every man is a brother;—it yielded to the religion which, in its very rudiments, inculcated the simple principle from which all social states, however complex they may be rendered by contingencies, ought to take their departure,—"thou shalt love thy neighbour as thyself." The humble, and most aggrieved villein not only felt that he had the right to accomplish his own destiny, or individual good, but that he had the right to impose on the master the reciprocal duty of respecting this Divine privilege possessed by his bondsman, under the penalty of being stigmatized with injustice.

At the effect produced by Wycliffe's poor priests, the government took instant alarm. An act passed in the 5th of Richard the Second, that all who preached without license against any interpretations of the holy scriptures repugnant to the determinations of the church, or to the laws of the land, should be arrested, until they justified themselves according to the law and reasoning of holy church:—that bishops were to return the names of delinquents into the court of chancery, and that their commitment was to be by writ from the chancellor, who might issue forth commissions to the sheriffs, and others, the king's ministers:—such offenders to be committed to the prison of the bishop, or of the sheriff, in order that the sharpness of their sufferings might bring them to repentance.

§ 11. THE DISTURBANCES OF LANCASHIRE AT THIS PERIOD.

As Lancashire suffered more than almost any other part of the kingdom from feudal oppressions, it can create no surprise that the disturbances of the "Wat Tyler period" should prevail in this county to a most alarming extent. An impression subsisted, that they were fomented by the Duke of

Lancaster, who, amidst the prevailing confusion, had conceived, that, with the aid of certain peers, prelates, and others, well known to be discontented with the existing government, he might usurp the royal authority. This report placed the duke's personal safety in such jeopardy, as to induce his friends of the north to raise for him a body guard. When the confidence of the court in his loyalty was restored, John of Gaunt was appointed the king's justiciary to inquire into the depredations, robberies, homicides, burnings, and rapes which existed in Lancashire, with power to punish the offenders.

As for the causes of these flagrant outrages, they must be sought for in the general discontent which resulted from feudal oppressions. The miserable state of villeins and husbandmen, or bondage tenants, had become too intolerable to be longer borne.

But it is very remarkable, that much of the disturbance of this period was due to the yeomen of the county, who began to form a middle rank of society, above that of husbandmen, yet below that of gentry entitled to heraldic honours. With this class, other motives must be sought for to explain the share which they had in fomenting disturbances of no ordinary kind. In fact, the yeomen had no cause of discontent, but that of not being raised to the rank of right worshipful squires,—the means for accomplishing which object having resolved themselves into one, or both of two qualifications:—the first being that of the attainment of wealth;—and the second, that of an alliance by marriage with families of gentle blood.

These two qualifications, by which the yeomen sought to advance themselves to the rank of gentry, will be explained in their due order.

The first of these consisted in the attainment of wealth.—The great impulse which, in the reign of Edward the Third, was rendered to commercial enterprises and industry, must have advanced many yeomen a step in the social grade of ranks, to which every facility was given by an order of Edward the Second, that all who had lands to the value of twenty pounds per annum would be required at the king's pleasure to take upon them the order of knighthood. Accordingly, no sooner had an edict of this kind been published, than such yeomen as had grown wealthy by dint of their industry as clothiers, or other artizans, sought to purchase estates from needy proprietors, whence they might be enabled to qualify themselves for the honours which awaited all such as were rich in lands. Thus it is recorded by Guillim, that, upon the summons for all who had lands to the value of twenty pounds per annum to take upon themselves

the order of knighthood, there came a yeoman who might spend a hundred marks per annum. "The court," it is added, "was at a loss how they might put him off," until, at last, the claim was waived on the plea, that he had applied too late, namely, on the second day of the summons.

A second qualification by which yeomen sought to be raised to the rank of gentry, or, at least, to be the founders of families entitled to heraldic honours, was, by an alliance with maidens of gentle blood. This plan was in no few instances successful. An example has been already cited [see page 109] of Thomas del Booth, who married the heiress of Barton, in consequence of which, the son obtained from the herald a grant of arms. We also find, that in the reign of Richard the Second, Ralph Lever, a yeoman, married Anne, daughter of Robert Radcliffe of Radcliffe, by which alliance he became the founder of a family no longer crestless.—[Baines's Lancashire, vol. ii, p. 567.]

Now it would appear, that, in Lancashire, the yeomen, and, perhaps even lower grades, took advantage of the lawless state of the kingdom, caused by the movement of Wat Tyler, and forced many females into engagements of marriage, with the hope of being advanced by such alliances to the rank of esquires or knights. When such proceedings came to the ears of John of Gaunt, than whom a more strenuous champion for the intact conservation of ancient gentilitia distinctions did not exist, he was most indignant at the audacious presumption of low-born upstarts. A proclamation was therefore issued in his name, as King of Castile and Duke of Lancaster, notifying to the sheriff of the county how this functionary was to deal with "such malefactors and ravishers of the ladies and daughters of the nobles, as well as of other women," adding, that they were more violent and more common in Lancashire than in any other part of the kingdom, and that the ladies and others thus ravished, were wont (as a very natural denouement) to marry their ravishers. With the view, therefore, of obviating such a finale, it was proclaimed, that the parties should be rendered incapable, ipso facto, of succeeding to any hereditary property, dower, or conjoint feoffment; that no property from ancestors could descend to them;—that the inheritance must go to the next in blood;—that the husbands of the females thus ravished, if they should happen to have husbands, would have the right of a suit at law;—that in the case of single women who might be ravished, the fathers or other relations of blood might have their action;—and that a defendant would not be entitled to meet his pursuer "ad duellum," or by trial of combat.—[See Baines's Lancashire, vol. i, p. 363, where the

proclamation—I fear a rather inaccurate copy—is given.]

Yet, after all, it is possible that the circumstances attending this inveigling of the fair damsels of Lancashire, the ladies and daughters of nobles, and others,—scarcely merited the hard epithets applied by John of Gaunt to their successful suitors. In days, like these, of open outlawry, the yeomen of Lancashire might have been anxious for nothing more than to enact the part of their ideal prototype, "the bold yeoman of Sherwood forest," when first introduced to "his lady fair," the graceful Clorinda:—

By the faith of my body, said bold Robin Hood,
I never saw woman like thee;
And com'st thou from east, or com'st thou from west,
Thou needst not beg venison of me.

Clorinda said, Tell me your name, gentle sir :

And he said, 'Tis bold Robin Hood :
Squire Gamwell's my uncle, but all my delight
Is to dwell in the merry Sherwood.

For 'tis a fine life, and 'tis void of all strife.

So 'tis, sir, Clorinda reply'd.

But, oh! said bold Robin, how sweet would it be,

If Clorinda would be my bride!

She blusht at the motion; yet, after a pause,

Said, Yes, sir, and with all my heart.

Then let us send for a priest, said Robin Hood,

And be married before we do part.

When dinner was ended, Sir Roger, the parson

Of Dubbridge, was sent for in haste :

He brought his mass book, and he bade them take hands,

And joyn'd them in marriage full fast.

And then, as bold Robin Hood and his sweet bride

Went hand in hand to the green bower,

The birds sung with pleasure in merry Sherwood,

And 'twas a most joyful hour.

A TRUE TALE OF ROBIN HOOD.

In order to obviate this prevalent state of outlawry, several general laws were framed, with the view of enforcing settlements under the broad basis of the Saxon law. Vagrancy and the removal from one place to another, except under the security of responsible pledges, was not allowed,—even the removal of servants and others from place to place without testimonial letters was prohibited. No one was to receive any person within his house beyond three nights, unless through the information of friends he had such a knowledge of the stranger's person and character, as that he would be responsible for his conduct.

Such were the ordinances of "the Wat Tyler period," which, although based upon the Saxon elements of residence and mutual pledges, resembled the martial law of modern times in their stringency.

§ 12. THOMAS LA WARRE IS ADMITTED TO THE
PREBEND OF GRINDALE, YORK.

Upon the 31st of January, 1380, Thomas de la Warre was admitted to the prebend of Grindale, York, vacant by the death of — de Thoresby.—[Willis's Cathedrals, p. 139.] He was also, at the time, rector of Manchester.

It may be objected against the clerical character of this divine, who, in a late period of his life, sought, by the foundation of a college in Manchester, to remedy the evils of patronage, that, in this instance, he held a plurality of spiritual offices. But it must be reflected, that considering the great dearth which there was of a learned education among the clergy, the union of a prebendary's duties with rectorial functions was considered as having little effect upon the efficiency of ecclesiastical discipline, when compared with the hazard of mixing spiritual concerns with such as were of a pure worldly character. Hence the remonstrance of Wycliffe, that neither prelates nor doctors, priests nor deacons, should hold secular offices, that is, those of chancery, treasury, privy seal, and other such employments in the exchequer;—that they should neither be stewards of lands, nor stewards of the hall, nor clerks of the kitchen, nor clerks of accounts, neither be occupied in any secular office in lords' courts, more especially while secular men were sufficient to do such offices.—[Vaughan's Wycliffe, vol. i, p. 298.]

§ 13. WERE JOHN LA WARRE AND HIS BROTHER,
THOMAS LA WARRE, INFLUENCED BY THE
PRINCIPLES OF WYCLIFFE?

In aid of this question it may be worthy of note, that three great friends of John la Warre were eminent advocates of Wycliffe. The first of these was John of Gaunt, with whom John la Warre officiated at the coronation of Richard the Second:—the second was his uncle, Sir Louis Clifford, of whom mention has been made as having been a trustee of the estates and advowson of the barony (see page 101), during the interval between Roger la Warre's death and the return of the son, the present baron of Manchester, from foreign campaigns:—while a third friend of Wycliffe was Sir Thomas Latimer of Braybrooke, in Northamptonshire, a cousin of John la Warre by the marriage of Catherine la Warre, his aunt, with Sir Warine Latimer.

If, then, no fewer than three of the most intimate friends of John la Warre were avowedly attached to church reform, it may be asked, if John la Warre himself was favourable to the mission of Wycliffe?

There is greater reason to suppose, that the cause of ecclesiastical reform found the most favour with Thomas, the brother of John la Warre, then in holy orders, as it is certain, that the abuses of patronage, from which the church of Manchester was very far from being exempt, formed a leading cause which induced him, when, by his brother's death, he succeeded to the barony of Manchester, to remedy "so great a treachery against God and his people."

If, therefore, we would understand the motives which led to the foundation of a college in Manchester, thirty or forty years after Wycliffe had fulfilled his reforming mission, we must carefully attend to the exposure which was made of the very corrupt and disgraceful state of church patronage which prevailed.

§ 14. THE DUKE OF LANCASTER WITHDRAWS HIS
FAVOUR FROM WYCLIFFE.

The Duke of Lancaster's zeal in behalf of the reformer, which had been rather shaken by observing the effect of his doctrines in engendering "the Wat Tyler movement," was still further cooled down after Wycliffe had published the doctrinal views which he entertained relative to the Eucharist.

Regarding the real presence in the sacrament, Wycliffe differed from holy church, as other theologians had done before him; for, even in the time of the Conqueror, several persons had been banished out of the kingdom for broaching unauthorised opinions concerning Christ's presence in the blessed sacrament. The received doctrine was, that in the sacrament of the Lord's Supper, the elements after consecration were entirely changed into the body and blood of Christ, and that although the accidents or forms of bread and wine still remained after consecration, yet, by the omnipotence of God, they remained without a subject. Wycliffe, however, endeavoured to establish [*de essentia accidentium*], that the substance of the bread and wine of the Lord's Supper, after consecration, remained the same, and that the body and blood of Christ were not substantially in them, but only figuratively. This view, which he inculcated in lectures given at Oxford in 1381, raised among his enemies of the religious orders the greatest indignation, who were the means of inducing Dr. Barton, the vice-chancellor, to pronounce the doctrine as heretical, and as meriting imprisonment and excommunication. Wycliffe then fled for protection to the Duke of Lancaster, but even this old friend shrunk from the responsibility of appearing to countenance attacks against the received

doctrine of transubstantiation. In 1381, Wycliffe was cited to appear before the ecclesiastical authorities, when his doctrines incurred a formal condemnation. From the penalty which attended the heresy, he was only saved by the mediation of other powerful friends and supporters in the civil interest who had never forsaken him, among whom the chief was Sir Lewis Clifford.

A little time before the labours of Wycliffe were brought to a natural conclusion, there arose the well-known and important dissension between the two rival popes of that period, who fought against each other with such spiritual weapons as bulls, anathemas, and excommunications,—of which dissensions Wycliffe did not fail to avail himself, by inveighing against the absurdity of making the token of Christ on the cross,—a token of peace, mercy, and charity,—the banner to lead on Christian men to slay each other for the love of two false priests. He also went to the length of the modern Quakers, in protesting against the right of spilling blood upon any plea whatever, excluding even the judicial urgency of making examples on the public scaffold.

§ 15. THE DEATH OF WYCLIFFE.

The reformer died in the year 1384, about the time when the Duke of Lancaster, his earliest friend, was in Scotland, threatening Edinburgh.

Very opposite conclusions have been arrived at regarding the nature of the changes in the established discipline and faith of the church, which Wycliffe sought to introduce. It is, perhaps, from the list of heresies with which he was charged, that we are the best enabled to judge of the extent to which his reforming doctrines were practically carried.—[See Vaughan's Wycliffe, vol. ii, p. 92.]

In estimating these charges it appears to me, that the mission of Wycliffe was generally resolvable to the three following objects:—first, to create a popular mistrust in the obligations supposed to be due to the papal supremacy;—secondly, to excite the laity to a correction of the corrupt state of ecclesiastical discipline;—and, thirdly, to engender popular doubts of the infallibility of the church on doctrinal questions.

In the first of these objects,—the creation of a popular mistrust in the obligations supposed to be due to the papal supremacy, Wycliffe was charged with denying the power of the pope over the clergy;—in asserting, that priests and deacons were severally empowered to preach the gospel without waiting for the sanction of popes and prelates,—and that to forego this service from the fear of

clerical censures, was to appear as a traitor to God in the day of doom.

In the second object,—which was that of invoking the laity to a correction of the corrupt state of discipline in the church, Wycliffe's attacks had, in the first place, been directed against the order of mendicants.—Afterwards, he was induced to break ground in the field of a more general exposure of church grievances, from which no degree of rank was excluded,—not even the sovereign pontiff himself. The reformer then saw, that, in diverging from the narrow sphere of exposure to which he had at first confined himself, he was embodying the sentiment of the nation at large. He was, accordingly, arraigned before the archbishop, for asserting that the institutes of the religious were in themselves sinful, and tended in many ways to the injury of piety;—for declaring, that a vicious course of life was incompatible with the exercise of ecclesiastical authority;—that the claims of a depraved pontiff might be derivable from the emperor, but in no instance whatever from the gospel;—that priests and bishops forfeited their power by yielding to deadly sin;—and that when a prelate excommunicated any man without knowing him to be so judged of God, he was himself a heretic and excommunicated.—He was also charged with arguing, that the spiritual power was inferior to the temporal;—that to prohibit appeals from the tribunal of the clergy to that of the king, was to incur the guilt of treason;—and that temporal lords might deprive an offending clergy of their possessions. Another charge was for assuming, that the dependance of the clergy upon the support of the laity was a conditional compact;—that tithes were merely alms to be yielded to the clergy, inasmuch as they were devout men, and according to the discretion of the contributors;—likewise, that clerical endowments were unlawful.

The third and last general object of Wycliffe, was to engender popular doubts of the infallibility of the church in many of her doctrines,—for protesting against some of which, he was arraigned.

Regarding doctrinal questions, it would be impossible, in the limited space to which I have confined myself, to take notice of the multifarious writings of this surprising man, or to give any comprehensive view whatever of the moderate reforming pretensions which distinguished the commencement of his mission, when compared with the revolutionary subversion of ancient dogmas characteristic of the close of his career. It may be generally observed, that in the fundamentals of Christianity, the theology of Wycliffe did not differ materially from that of the schoolmen, as was shewn in his writings on the Trinity, on the

incarnation of the Word, on the humanity of Christ, on the Divine government, on the religion of the perfect, or on evangelical perfection. On some questions, however, as might be expected, he had no settled notions, as, for instance, in the old *questio vexata* of fate, in which he shewed himself at times an absolute predestinarian, while, in other instances, he was contradictory with himself. At one time he argued, that as all things belonged to God, and as good men only were the children of God, they were of course the only inheritors. Nor was he less confused in the equally contested subject of grace. He however held, that without the assistance of the Divine grace, a man could not make himself acceptable to God,—for which reason he fervently wrote on the virtue of praying: "*De virtute orandi.*"

One of the principal writers among the Roman Catholics limits greatly the extent of Wycliffe's mission. He condemned, it is said, the tenet of transubstantiation, but, like Luther, maintained the existence of the bread in conjunction with the reality of Christ's presence on the altar. In denouncing indulgencies, pilgrimages, the use of holy water, and the supremacy of the holy see, he appealed to the scriptures as the sole rule in matters of faith. On the other hand, he admitted the seven sacraments of the Catholic church;—a belief in purgatory, as a place of temporary punishment;—the efficacy of the mass as a propitiatory sacrifice;—the duty of sacramental confession, with contrition for sins before done, and good life in keeping God's hests and works of mercy after. In these doctrines, adds this writer, as well as on grace, on dominion or the right of property, on the power of the people to depose a ruler who may have been guilty of mortal sin, or on the criminality of such ministers of religion as permit themselves to be endowed with temporal possessions, it is impossible to trace the features of the English Reformation.—[Tierney's ed. of Dodd's Church History, vol. i, note to p. 148.]

An author, however, of a very opposite theological school, Dr. Vaughan, would lead us to suppose, that it is by no means a hopeless task to trace in Wycliffe's doctrines the broad features and compass of the English Reformation, to the comprehension even of many tenets and peculiarities which we owe to the Puritans. To a certain extent this view may be defended. As Wycliffe advanced in his career, he was induced by his growing desire to subvert the symbolic form of worship, to wage an exterminating war with many of the ceremonials, or externals with which Divine worship was crowded, to the suppression even of chaunting and cathedral music.

But without dwelling upon these diversities of views, there is one feature in the writings of Wycliffe upon which far too little has yet been remarked;—this was the value which he placed upon morals, as much exceeding that of religious belief. He regarded heresy as consisting in a bad life no less than in false opinions, whence he drew the inference, that no good man could be a heretic. He also expressed his opinion, that God would ask no more of a Christian in this life than to obey the precepts of the blessed law, and that it was the character of antichrist to require more.—[Gilpin's Life of Wycliffe, p. 80, 93, &c.]

After the death of Wycliffe, there was for some time little to commemorate in ecclesiastical affairs. In a contention with Archbishop Courtney (A.D. 1385), on the right of taxing the clergy for the wars,—insisted upon by the Wycliffites for the reason, that the revenues of the church were alms,—Courtney not only objected to the inequality of the assessment, but upon the right assumed over the temporalities of the church. Eventually, however, upon an alarm being excited by the threatened invasion of the Scots, the king accepted from the clergy what they were pleased to name "a voluntary offer."

On the 18th of October, 1389, Pope Urban the Sixth died. He was succeeded by Boniface the Ninth, who published a decree declaring the proceedings of the parliament relating to papal provisions to have been null and void; and, upon invoking the king to forthwith expunge the acts relative to provisions from the statute book, he threatened with removal and excommunication any bishop who acted upon this judgment. In proceeding, also, to grant a prebend in the cathedral of Wells to an Italian favourite, the two houses unanimously declared, that this attempt to control the decision of the regal courts by intimidating the bishops, was subversive of the rights of the crown, and that they would joyfully stand by their sovereign to live and die in resisting this encroachment on his authority. It was, accordingly, deemed necessary not only to confirm the statute of provisors made in the 25th of Edward the Third, rendering him who accepted a provision liable to forfeiture, but also to frame a new law of mortmain, in which it was rendered indispensable that there should be a license from the crown before any religious house could hold land in perpetuity.—[Tierney's ed. of Dodd's Church History, vol. i, p. 340, and App., No. viii.]—In fact, by virtue of such a license, the Manchester College was eventually founded.

§ 16. THE ADDITIONAL CHURCH PREFERMENTS
GIVEN TO THOMAS LA WARRE.

In 1391 we find Thomas la Warre appointed parson of the church of Sleaford, in Lincolnshire, and two years afterwards, in 1393, made canon of the church of the Blessed Mary, in Lincoln, when he is said to have passed certain lands *pro abbate et conventu de vallo Dei*.

Thomas la Warre is supposed at this time to have continued rector of Manchester, but whether he gave up any other of his preferments, in consequence of this influx of clerical dignities, we are not informed.

§ 17. PREMUNIRE FOR PURCHASING OF BULLS
FROM ROME.

It has been properly remarked by an ecclesiastical writer [Dodd], that although the pope, by the strength of his supremacy, had a power of inspection over the whole church, and might send legates to execute his orders, yet by erecting courts of judicature, the method was become prejudicial;—that so long as the orders of bishops might be superseded in any trivial matters by one of the pope's legates, the bishops would regard the jurisdiction as precarious;—that appeals to Rome would become chargeable, whence the innocent would be oppressed for want of witnesses, from the inability to secure their attendance at so great a distance from their homes;—and that the trial of causes in a foreign court was naturally calculated to make the king both jealous and tenacious of his authority and rights.

To remedy these inconveniences, an act was passed in the 16th year of the reign of Richard the Second, entitled "Premunire for purchasing of bulls from Rome." It enacted, that if any person should purchase, or pursue in the court of Rome, or elsewhere, by any translations, processes, or sentences of excommunication, bulls, instruments, or any thing whatever touching the king's crown and regality, or against his realm, or should bring them into the kingdom, or receive, notify, or execute them, either within the realm as aforesaid, or without, such persons, their notaries, procurators, maintainers, abettors, fautors, and counsellors, should be put out of the king's protection, their lands and tenements, goods and chattels, should be forfeited to the king, while their persons should be attached, wheresoever they might be found.—[Tierney's ed. of Dodd's Church History, vol. i, p. 152, and App., No. ix, p. 341.]

It has been recorded that from the date of this act, the archbishops called no more convocations by their sole authority, but by license from the

king; their synods having been formed by a writ, or precept from the crown, directed to the archbishops to reassemble their clergy, in order to consult them upon such affairs as his majesty would lay before them. Still, however, until the act of supremacy of the reign of Henry the Eighth took place, their canons were considered binding, although confirmed by no authority but their own.

§ 18. THE MOVEMENT OF THE WYCLIFFEITES,
UNDER THE NAME OF LOLLARDS.

The Wycliffeites, as a religious party, became distinguished under the appellation of Lollards,—a name of obscure origin, supposed to be a German term of derision. Their leaders, "the poor priests," organised by Wycliffe, were everywhere active. They avoided the practice of "preaching friars," who did little more than entertain the people with idle stories and miracles, and preferred enforcing upon their hearers the necessity of a good life. "The highest service," remarked Wycliffe, "which men may attain upon earth is to preach the word of God,—which service falls peculiarly to priests, and therefore God more straightly demands it of them."

Lancashire owes its proselytism to the missionary labours of the learned Dr. Hereford and Master John Ashton, who are said to have traversed nearly half the kingdom, each appearing in coarse attire with a staff in his hand, and preaching against spiritual censures, religious temporalities, and distinctions among the clergy. They also proclaimed the poverty of Christ and his disciples, in contradistinction to the simony, the covetousness, and idleness exhibited by worldly clerks.

It has been observed by Dr. Vaughan, that three kinds of preaching were then in use; the first, declaiming like an oration, or an essay, upon a given subject; the second, postilling, that is, reading a portion of scripture; taking parts of it, and discussing it, like what is called lectures or exposition; while the third was the handling of the sacred text which had been recently divided into chapter and verse, that is, by taking a verse, and, according to the logic of the schools, dividing and subdividing it.—[Vaughan's Wycliffe, vol. ii, p. 21.]

In addition to these apostolic exertions, a petition was presented in 1395 to the House of Commons against the pride of the Church of England,—lamenting that faith, hope, and charity had declined;—inveighing against the forms of priestly domination,—against the celibacy of the clergy,—and against religious orders;—it also condemned the doctrine of transubstantiation;—it animadverted upon the worldly affairs of churchmen,—

upon the prayers for departed souls,—upon absolution and auricular confession,—upon the folly of supposing that the bliss of heaven might be purchased for lucre,—as well as upon sundry other matters, as discussed in the *dialogus* of Wycliffe, “the evangelical doctor.”

Richard the Second had just landed in England. While Boniface the Ninth reprimanded the sloth of the archbishops and bishops in not being more active to punish heresies, the king was exhorted to discountenance offenders against the church. Accordingly, Lewis Clifford, John Latimer, and John Montague were severally reprimanded for forwarding the petition of the Lollards.

§ 19. DEMISE OF JOHN LA WARRE.—A.D. 1398.

On the 27th of July, 1398 (22nd of Richard the Second), the demise took place of John la Warre, baron of Manchester, without issue, his son of the same name having died *ante patrem*. He was succeeded by his brother in holy orders, Thomas la Warre.

John la Warre had been summoned in parliament various times from the 44th to the 50th of Edward the Third, and from the 1st to the 21st of Richard the Second. A short time before he died, his attendance against his will in any future parliament, or wars, was dispensed with.

He died possessed of the manors of Manchester, Ashton-subtus-Limam, and of Isefeld, in Sussex. Other manors mentioned were in Gloucestershire, Somerset, Chester, Derby, Hants, Wilts, North Lincoln, and Notts, together with the castle of Bristol.

As the period in which John la Warre lived forms an epoch in the ecclesiastical history of our country, it is deeply to be regretted that so few of the local affairs of Manchester stand recorded;—for it is certain, from the events which succeeded, that a great change must have taken place in the public mind on ecclesiastical questions, so as to lead to the foundation of a collegiate church, in the place of the existing rectory. This will be shewn in the subsequent chapter.

Nor is it less to be regretted, that we know so little of the early life of Thomas la Warre, the founder of the college.

It is to be presumed that Thomas la Warre continued the rector of Manchester during the whole of this period, but the names of the chaplains associated with him are very little known. We read of a Nicholas de Prestwich, chaplain, who in the 22nd of Richard the Second, 1398, gave to Margery de Barlow, for term of life, two burgages

in Manchester.—[Baines's *Lancashire*, vol. ii, p. 194.] But whether Nicholas de Prestwich was a chaplain of Manchester, is uncertain.

CHAPTER V.

IN THE TIME OF THOMAS LA WARRE, THE TWELFTH LORD OF MANCHESTER.

In 1398, by the death of John la Warre without issue, Thomas la Warre, clerk, the brother of the baron, became heir to the barony of Manchester, and to all other family estates.

It is said, that from the 23rd of Richard the Second, he procured a special dispensation from attending the king in any of his parliaments, or councils, for the term of three years.

As Thomas la Warre was in holy orders, there seems to have been some little difficulty, under what title to summon him to parliament. In “the proceedings and ordinances of the privy council,” I find him to be named “Le Sire de la Warre.”—[Vol. i, p. 157 and 202.] In the rolls of parliament at Westminster, he was mentioned under the title of “Magister Thomas de la Warre.”—[*Charters of the Duchy of Lancaster*, edited by Mr. Hardy, p. 149.] And in another official document of the privy council, he is cited as “Dominus de la Warr.” Lastly, in a formal deed of conveyance, wherein he was a party, he is styled “Thomas, Dominus la Warre, dominus de Maincestre.” Agreeably to the two latter authorities, I shall venture on the designation of “Thomas la Warre, the twelfth lord of Manchester,” with this remark, that he is to be found in some deeds under no other title than “Thomas la Warre, clericus.”

But before proceeding with this local history, some brief sketch of the civil and ecclesiastical state of the country may be deemed necessary.

About this time, Henry, Earl of Bolingbroke, was banished the realm, which event was soon followed by the demise of the father, John of Gaunt, Duke of Lancaster, who died on the 3rd of February, 1399 (in the 22nd of Richard the Second), it is said from grief.

Soon afterwards, Richard the Second was charged with having governed tyrannically, and violated the oath made to his people. His crown he was forced to abdicate in favour of his uncle's son, Henry, Duke of Lancaster, who, upon his elevation, conferred the title of Duke of Lancaster on his eldest son.

When Henry the Fourth found himself established in his kingdom, he recollected, that, during his struggle for the throne, the ecclesiastical interest

had been the most efficient in supporting his pretensions. He, therefore, sought to retain the clergy in his interest; but they were high in their demands, and nothing could satisfy Arundel, who had succeeded Courtenay in the primacy, than that the king should proclaim himself "Protector of the church against the designs of the Lollards." In consequence of a petition from the clergy to the House of Commons, supported by the influence of the king, the statute "*de heretico comburendo*" was passed, which was said to have been founded not on the common law of Europe, but to have been derived from the canons of the church.

By this statute, no one was to preach or engage in religious instruction without license from proper authorities, such as the diocesan of the place where he resided. Within the term of forty days all books containing doctrines opposed to the determinations of the church were to be delivered to the ecclesiastical officers. All who joined prohibited conventicles, or who favoured them, might, at the instance of the ordinary, be committed to the bishop's prison, there to be dealt with at his pleasure during a period not exceeding three months; and if, at the end of this term, the culprit should retain his errors, or if, after abjuring them, he should relapse, the local officers, both civil and ecclesiastical, might confer together, and, if still obstinate, the offender, after sentence had been duly pronounced, might be burned in the sight of all men.

This act was followed by the well-known constitutions of Arundel, which were passed by the convocation. They were evidently dictated by the conviction of a weakness in the belief of the papal supremacy, whence the extravagant terms in which the reigning dogma was expressed. The pontiff is represented as filling the place,—not of humanity, but of the true God,—as bearing the key of eternal life and death,—against whose decisions, such as oppose their judgments, incur the guilt of rebellion and sacrilege. In this authoritative spirit it was decreed, that no man should henceforth preach without a license of his ordinary, or diocesan,—that he should be restricted in his discourse to the authorised limits laid down in consideration of the ignorance of priests,—and that an interdict should apply to every church admitting an heretical preacher. The schoolmaster was forbidden to mix any religious opinions with his tuition, while his scholars were equally warned against the peril of reading the vernacular scriptures, or of discussing the sacraments of the church. The books written by Wycliffe, with the exception of such as might meet with an authorised approval, were to be banished from all

schools, halls, or hospitals. No one was to translate any text of scripture into English on his own authority, or dispute any decretals and constitutions of holy church, but more particularly such as enjoined pilgrimages to the shrines of saints, adorations, and various other ceremonies. A contempt of these warnings to be liable to the penalties awarded in the statute against heresy, and persons suspected of heresy, or Lollardism, to be summoned, and, on their refusal, to be adjudged guilty and punished.—[History of England, by Mortimer, vol. i, p. 696, and Vaughan's Wycliffe, vol. ii, p. 394.]

In these decrees, the clergy met with every support from the king, but more particularly when they contributed freely from the revenues of the church in aid of the taxes levied, which the archbishop proposed to so adjust in amount, as to equal, if not exceed, the value of the personal services demanded from the laity. Henry then declared, that he would always maintain the rights and privileges of the church.

Such was the ecclesiastical crisis when Thomas la Warre entered upon the possession of his barony. Of the exact state of the church of Manchester at this time, we have no information, and we are as little acquainted with the civil condition of the town. A practice became very frequent, of creating, by royal charter, in borough towns, municipal corporations,—from the very dubious advantages of which, both Manchester and Salford were excluded. It has been observed by Merrywether and Stephens (see p. 803 of their work), that incorporations of this kind were for the purpose solely of giving a municipal corporation the power of purchasing and holding lands, and of suing and being sued by its corporate name, and that, when corporations were thus commenced, they were not designed, nor had they the effect in the least degree, of altering the general law of the land with respect to freemen, or the laws, usages, and internal government of boroughs with respect to burgesses. Freemen, burgesses, and boroughs, were still left unchanged, having only the additional power superinduced upon them, of being possessed of property and of suing as bodies corporate.

§ 1. NAMES OF TWO CHAPLAINS IN MANCHESTER ABOUT THE YEAR 1405.

In the 5th year of Henry the Fourth,—as it would appear from the copy of an old deed of the late Mr. Barritt, preserved in the Chetham Library,—John Fawkes and Roger de Hayward were chaplains of the church of Manchester.

§ 2. THOMAS, LORD LA WARRE, MADE PREBENDARY OF SOUTHWELL.

On the 29th of September, 1407, Thomas la Warre was made prebendary of Southwell, in Nottinghamshire, on the resignation of Thomas de Moston.—[Browne Willis's *Cathedrals*, vol. i, p. 158.] He would hold this and other dignities at the same time with his living in Manchester.

§ 3. THE DISPERSION OF THE SCRIPTURES AT THIS PERIOD.

The first successful attempt to render adoration less symbolic, and thus to popularize among the masses the essential principles of reform, was due to Wycliffe. He was the first to conceive, that the sacraments of the church, in conjunction with the holy scriptures, formed the whole of what might be regarded in Christianity as the true and the legitimate. While his earliest object, therefore, was to render the sacraments less symbolic,—his second, was to promote in an un mutilated state the dissemination of the holy scriptures.

The earliest translation of the scriptures into the English language, is said, by Dr. Wiseman, to have been incorrectly attributed to Wycliffe. He has stated in his lectures [vol. i, p. 53, &c.], that there existed English versions of the Bible long before this period,—which opinion he supports by a quotation from Sir Thomas More's dialogue concerning heresies [B. III., c. xiv., p. 232], wherein it is asserted, that "the Hole Byble was long before his [Wycliffe's] dayes, by vertuous and well lerned men translated into the English tong, and by good and godly people with devotion, and soberness, wel and reverently red."

This assertion of Sir Thomas More can only apply to the complete translation of the holy scriptures by John de Trevisa, in 1357. A cotemporary, Knighton, a canon of Leicester, in bitter accents of dissatisfaction, complained, that this master, John Wycliffe, "by translating Christ's gospel, had made it vulgar, and had laid it more open to the laity, and even to women who could read, than it used to be to the most learned of the clergy, and those of the best understanding."—[Gilpin's *Life of Wycliffe*, p. 38.]

If Sir Thomas More had stated, that, with one exception, parts only of the holy scriptures had been translated, accompanied (as they frequently were) with disquisitions, or annotations, he would have been more explicit. Wycliffe, before he undertook his complete translation, was in the habit of doing the same. He had previously, and not unfrequently, invited the attention of his

proselytes to detached portions of the holy scriptures, as is shewn in his observations on the ten precepts,—in his exposition of the Lord's Prayer,—in his commentaries on the psalter,—on the Pharisee and the publican,—on the Lord's sermon on the mount,—on the contrariety of the two masters,—or in his discourses on the epistles. But it was his actual translation of the entire, or nearly so, of the scriptures, which, like that of Trevisa, most responded to the wants of the age.

It would be satisfactory to learn, to what extent Thomas la Warre was actually affected by the doctrines of the great reformer. Regarding the tenets of his two kinsmen, Sir Thomas Latimer and Sir Lewis Clifford, no doubt whatever can subsist. The former, in a written request concerning his funeral obsequies, prohibited "any cost about his burying, neither in meat nor drink," and omitted the usual recommendation of his soul to the care of the virgin, and of the saints;—while Sir Lewis Clifford, the old friend, kinsman, and trustee of John la Warre, who died in the 5th of Henry the Fourth, simply committed his spirit to the grace, and to the great merit of the Trinity.

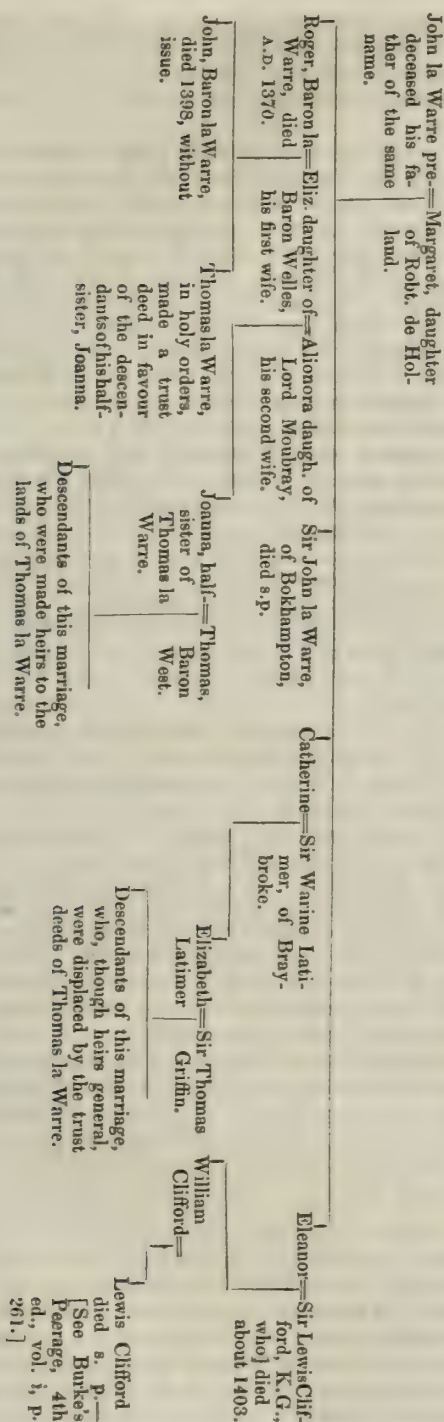
§ 4. THOMAS LA WARRE MAKES A TRUST DEED IN FAVOUR OF THE DESCENDANTS OF HIS HALF-SISTER, JOANNA, WITH THE VIEW OF DISPLACING THE TRUE HEIR OF THE GRIFFIN FAMILY.

Unless the existence of such a trust deed and its object be at least supposed, it would be impossible to comprehend much of the language of the various deeds connected with the foundation of the Collegiate Church by Thomas, Lord la Warre, then in holy orders. For this purpose, I have sketched out, in a plan, the genealogical relations in which Thomas la Warre stood to the West family, whom he was desirous should be his successors, and to the Griffins whom he sought by a trust deed to displace.

In reference to the following plan, it is evident,

First,—That as John, Baron la Warre, died in 1398, the manor and estates had descended to Thomas la Warre, who, being in holy orders, was precluded from marrying:—and

Secondly,—That, upon the death of Thomas la Warre, the manors and estates of which he was possessed would have descended to his heir-at-law, the representative of the Griffin family, a distant relation of Thomas la Warre, to the exclusion of his half-sister, Joanna, wife of Thomas, Lord West, and her issue.



In order, therefore, to obviate the effects of this legal heirship, in the person of the representative of the Griffin family, Thomas la Warre appears to have vested his estates in trustees,—in trust for himself for his life, and, after his death, in trust for his half-sister, Joanna, and her issue.

The mode by which this alienation of the property from the pretensions of the legal heir, a Griffin, was accomplished, appears to have been by what was then named, deforcing a levy, “*deforciando levatum*,”—an imaginary process of law, resembling what was called, at rather a later period, the levying of a fine. To this deforcement of a levy, allusion has been already made in page 107 of this history.

Atkyns, however, in his history of Gloucestershire, says, that in the 12th of Henry the Fourth, Thomas, Lord la Warre, clerk, actually levied a fine of the manor of Wickwarr, for the use of himself in tail, the remainder to Reginald West, son of Thomas West.—[Atkyns's Gloucestershire, p. 429.]

It may be incidentally remarked, that Sir Thomas Latimer (a leader of the Lollards), son of Sir Warine Latimer, does not appear in the genealogical table. He died without issue, and was succeeded by his brother, who also died s.p.

§ 5. THE TRUSTEES NOMINATED BY THOMAS LA WARRE, WHEN PROVIDING FOR THE SUCCESSION OF THE FAMILY OF WEST.

In some deed which Thomas la Warre made, the object of which was to vest his estates in trustees,—in trust for himself during his life, and, after his death, in trust for his half-sister, Joanna, and her issue, the trustees would have been as follows:—

THOMAS LONGELEY [or LANGLEY] bishop of Durham.

WILLIAM THYRNYNG, miles.

JOHN HENEGE.

NICHOLAS MOTTE, parson of the church of Holthyn.

WILLIAM AUNCCELL.

JOHN OVERTON,—and

RICHARD FRYTH.

Of these trustees, the names of John Henege and Thomas Longeley, bishop of Durham, are the only ones of whom I can find any record.

John de Henege, or Heneage, of an ancient Lincolnshire family, was possessed of the manor of Haynton, in Lincolnshire, which formerly had passed into the possession of the family of La Warre, but which, in the 21st of Richard the Second, was repurchased by this descendant.—[Burke's Commoners, vol. iv, p. 103.]

Thomas Longeley, or rather Langley, was a personage of some moment in this history, as having greatly exerted himself, in a subsequent period, towards giving effect to Thomas la Warre's foundation of the college of Manchester, for which reason some little knowledge of his history is desirable.

Thomas Langley, bishop of Durham, is said to have been the son of Sir Thomas Langley, of Agecroft, near Manchester, born, by computation, about 1370.—[Biography of Thomas Langley, as given by Mr. Whatton in Baines's Lancashire, vol. iii, p. 152.] But, according to a more authentic account, the bishop was not "a Lancashire worthy," but was the younger of the two sons of William Langley, of Langley, in the bishopric of Durham; the older son, Henry, settling at Dalton, in the West Riding of York, and being the founder of the house of Langley, of Higham Gobion, Co. of Bedford.—[Burke's Extinct and Dormant Baronetcies, 2nd ed., p. 298.]

Thomas Langley was brought up in a monastery of Norfolk;—he completed his education at Cambridge, and was ordained priest;—he was a faithful retainer of the house of Lancaster, to whom he was so well recommended by his virtues, that he was appointed an executor of the will of John of Gaunt. Soon after the accession of Henry the Fourth, he was installed prebendary of York, and made archdeacon of Norfolk;—afterwards, he was elected dean of York;—in 1405, he was made chancellor of England;—subsequently, upon the execution of Archbishop Scrope for his share in the rebellion of the Percies, he was nominated to the primacy of York, but, for some unknown reason, was never installed, having been removed, in 1406, by papal provision to Durham, when he resigned the great seal:—upon the occasion of this last ecclesiastical preferment, a royal charter makes mention of the venerable father, now bishop of Durham, as having obtained the special affection of the king, "*qui tam charissimo patri nostro Johanni, nuper Duci Lancastrie defuncto quam nobis in agendis nostris regni nostri, ab annis tenebris laudabiliter deservientem et obsequiosum se exhibuit, et nobis exhibet inde fecisse.*"—And, in the last place, on the 6th of June, 1411, by a bull of John the Twenty-second, he was created cardinal.

§ 6. A DEED RELATIVE TO THE INFEUDATION OF ASSHETON-UNDER-LINE, BY WHICH A TRUST SETTLEMENT OF THOMAS LA WARRE IS IMPLIED.

As the construction of the chartularies connected with the foundation of the Manchester College must be imperfectly understood, without

supposing the existence of an important trust deed of Thomas la Warre, the hypothesis will be strengthened in reference to the arrangements demanded by the subinfeudation of Ashton-under-Line.

It would appear, that in the 13th of Henry the Fourth, Sir John of Ashton, who [by subinfeudation] held the manor of Ashton of Sir Richard de Kirkeby, by fealty and one penny rent, was found to hold the manor of Assheton, with all its appurtenances, of Thomas, Lord la Warre, lord of Manchester, by fealty and the service of rendering annually twenty-two shillings and one hawk, or forty shillings, and a contribution, called "*putura*," to the maintenance of the foresters of Horwich and Blakeley, as part of the manor of Assheton.—[Baines's Lancashire, vol. ii, p. 535.]

According to Dr. Ormerod, this contribution proves Ashton to be what, in Cheshire, was called "*a wareland*," within the chase of Blakeley.—[Memoir on the Stanley legend, in the Collect. Topog. et Genealog.] The term *putura*, conjectured to be a corruption of *pastura*, is explained by Du Cange, as "*jus gisti, seu procurationis, quo dominus a vassallis hospitio et convivio excipitur*;"—a procuration, which, in this instance, was transferred to the support of the foresters of the lord of Manchester.

With this explanation, I shall proceed to describe the deed of confirmation, by which, after the death of Thomas la Warre, the complexity of a subinfeudation was somewhat obviated, by John de Ashton, chevalier, holding from Thomas Langley, bishop of Durham, William Thyrnyng, John Heneage, and others.—[See Baines's Lancashire, vol. ii, p. 535, where the deed is given from the Harleian collections. As I have not the opportunity of consulting the original documents, Mr. Baines's copy is followed, in which the marks of abbreviation, often incorrectly given, are avoided, and a few evident mistakes corrected.]

Omnibus Christi fidelibus ad quos presens scriptum indentatum pervenerit Thomas Longeley Episcopus Dunelmensis Willielmus Thyrnyng Miles Johannes Henege Nicholaus Mott persona ecclesie de Swynesheuede Ricardus Lombard persona ecclesie de Holthyn Willielmus Auncell Johannes Overton et Ricardus Fryth Salutem in Domino. Cum Johannes de Asshton chevalier teneat manerium de Asshton cum pertinenciis in comitatu Lancastrie de Thoma domino la Warre domino de Mainceestre per fidelitatem et servicium reddendi per annum viginti duos solidos et unum ancipitem vel quadraginta solidos ad puturam forrestariorum de Herwiche et Blakeley vt de manerio de Mameceestre quod quidem manerium de

Mamecestre dictus Thomas la Warre tenet ad terminum vite sue ex concessione nostra reversione inde post mortem predicti Thome Domini la Warre nobis et heredibus nostris spectanti Infra que quidem maneria de Maincestre et Asshton tam idem Thomas la Warre et antecessores sui quam nos et illi quorum statum habemus in predicto manerio de Maincestre habemus habent et habuerunt a tempore cujus contrarii memoria hominum non existit Visum franci plegii et quicquid ad visum Franciplegii pertinet Tolnetum picagium et stallagium tanquam pertinent dicto manerio de Maincestre Noueritis nos concessisse predicto Johanni de Asshton heredibus et assignatis suis totum statum nostrum quem habemus in Visu Franciplegii et omnibus que ad visum Franciplegii pertinent de omnibus tenentibus et residentibus infra dictum manerium de Asshton et villam de Asshton unacum tolneto picagio et stallagio infra manerium et villam predictam Et ulterius volumus et concedimus pro nobis et heredibus nostris quantum in nobis est quod prefatus Johannes de Asshton heredes et assignati sui post mortem dicti Thome domini la Warre habeant imperpetuum infra dictum manerium de Asshton et villam de omnibus tenentibus et residentibus infra predictum manerium de Asshton et villam Visum Franciplegii et quicquid ad visum Franciplegii pertinet tolnetum picagium et stallagium adeo libere et integre sicut dictus Thomas dominus la Warre antecessores sui nos seu illi quorum statum nos habemus in predicto manerio de Maincestre habet habuerint seu habemus. Ita quod nec nos nec heredes nostri nec aliquis nomine nostro aliquem Visum Franciplegii siue aliquid quod ad visum Franciplegii pertinet siue de jure pertinere poterit de tenentibus et residentibus infra dictum manerium de Asshton et villam exigere habere vel vendicare poterimus in futuro sed inde totaliter sumus conclusi [*inclusi, Kuerden*] per presentes. Et ulterius noveritis nos concessisse pro nobis et heredibus nostris quod predictus Johannes de Asshton et heredes sui post mortem predicti Thome Domini la Warre quieti sint et exonerati erga nos et heredes nostros de viginti uno solidis et vndecim denariis de predicto redditu viginti duorum solidorum et de redditu ancipitis predicti Ita tamen quod predictus Johannes de Asshton et heredes sui teneant dictum manerium de Asshton cum pertinentiis de nobis heredibus et assignatis nostris post mortem predicti Thome domini La Warre per fidelitatem et redditum vnus Denarii solvendi annuatim ad festum Natiuitatis Sancti Johannis Baptiste et per servicium exhibendi puturam forestariorum predictorum pro omnibus aliis seruiciis quem quidem redditum viginti unius solidorum vndecim de-

nariorum et ancipitis predicti prefato Johanni de Asshton heredibus et assignatis suis pro nobis et heredibus nostris post mortem predicti Thome Domini la Warre remittimus et relaxamus imperpetuum per presentes.....In cujus testimonium unius partis huic scripto indentato penes predictum Johannem de Asshton remanenti sigilla nostra apposuimus Alteri vero parti penes nos remanenti predictus Johannes de Asshton sigillum suum apposuit Hiis testibus Radulpho de Stanley chevalier Johanne de Pekington chevalier Johanne de Hilton, Ricardo de Radecliff Adamo de Leuer et aliis quam plurimis Datum apud Swynesheved in festo Sancti Mathie Apostoli anno regni Regis Henrici quarti post conquestum tercio decimo.

In the following reign, an indenture of confirmation was made and executed by the same bishop, John Heneage, and others, of which the following is an abstract and summary:—

“Twenty-fifth of February, 1413, First of Henry Fifth. By indenture from Thomas Longley, bishop of Durham, John Heneage, and others. Whereas, Sir John de Asheton, holds the mannor of Asshton-under-Lyne, and the appurtenances in Com. Lan., of Sir Richard de Kirkeby, by fealty and one penny rent, which said Sir Richard holds the same of Thomas, Lord la Warre, lord of Maincestre, by fealty, and the yearly rent of twenty-two shillings, &c., as of his mannor of Maincestre, which said Sir John de Asshton is bound to discharge the said rent of twenty-two shillings to the said Lord la Warre, as chief lord, for the said Sir Richard Kirkeby, by virtue of a fyne, the 12th of Edward the First, between the ancestors of the said Sir John de Asshton and Sir Richard de Kirkeby, which said mannor of Maincestre, and Asshton-under-Lyne, as well the said Lord la Warre and his ancestors, as we and they, whose estate we have in the said mannor of Maincestre, have had time out of mind, view of frank pledge, and what to view of frank pledge belongeth, tollage, fishery, and stallage, as belonging to the said mannor of Maincestre.”

§ 7. THE CELL OF KERSALL IS RELEASED FROM ITS OBEDIENCE TO THE ABBOT OF CLUGNI.

It has been remarked by Dodd of the reign of Henry the Fifth, “that, when Henry’s predecessors seized alien priories, they often bestowed part of the revenues of the same upon the laity; but that this religious king either repaired these houses, and made them denizen, or ordered their revenues to be transferred upon some other community.” Tierney, however, a far better historian, remarks in a note upon this passage, “that other sovereigns

had seized the alien priories only for the term, or duration of an existing war, but that by Henry, these establishments were for ever dissolved, and their revenues confiscated to the use of the crown;"—which dangerous precedent, to use the language of Collier, "led the way to larger measures of the same kind in the reign of Henry the Eighth."—[Tierney's ed. of Dodd's Church History, vol. i, p. 161.]

It was in the course of these proceedings that this cutting off of the Cluniac monasteries in England from their obedience to the abbot of Clugni may be dated, upon which occasion, according to Dugdale, all the priors, under their respective titles of the Cluniac order, subscribed to the deeds of their surrender. At this time, then, the cell of Kersall, which was attached to the Cluniac monastery of Lenton, in Nottinghamshire, became released from its obedience to the abbot of Clugni.

This act was in keeping with the measures of parliament in the reign of Henry the Fifth, the very first of which contemplated the application of the lands and possessions of the church to the service of the state, in which resolution they were prevented by the policy of Chicheley, archbishop of Canterbury. The clergy were, then, fain to promise to Henry a greater sum for the maintenance of his expensive wars, than had ever been granted to an English king.

Henry was so overcome with this munificence of the clergy, that he interfered in the least possible degree, to restrain their desire for the blood of heretics.

§ 8. PRECEPT ISSUED TO THE SHERIFF OF LANCASTER AGAINST THE LOLLARDS OF THIS COUNTY.

I have described the humble agents through whom Wycliffe sought to popularize through the most sequestered districts of England the principles of reform, and, that Lancashire was included in the mission, will be pointed out shortly.

The growth of heresy long continued to be the subject of councils. It was enacted, that all magistrates and other officers of government should be sworn to assist in the extirpation of heresy;—that all state officers, upon assuming their functions, should endeavour to discover the heretics, called Lollards, whose intention it was to subvert the Christian faith, the law of God, the church, and the realm; that they should assist the ordinaries in prosecuting and convicting them, and that all heretics, even those who read the scriptures in English (then called Wycliffe's learning), if convicted before the proper tribunals, should forfeit all the lands they had in fee simple, and all other

goods and chattels, to the king; that the sheriff, without writ or warrant from the king, might of himself proceed in condemning such offenders, as heretics to God, enemies to the crown, and traitors to the kingdom; that they should not have the benefit of any sanctuary; and, that if they continued obstinate or relapsed after pardon, they should first be hanged for treason against the king, and then burned for heresy against God.—[Parl. Hist., I., 324. April 30, 1414.]

In conformity with these instructions, a precept was issued to the sheriff of Lancaster against the Lollards.

That the church of Manchester, in the usual sanctuary which it afforded to offenders against the laws, refused to harbour the Lollards, has been asserted, but without any evidence, more than tradition, for the statement. It is said, that in the case of an individual who fled to the church for sanctuary, one of the Strangeways family killed the heretic at the high altar.

This was the period when the doctrine of transubstantiation became the test for bringing many reformers to the stake, among whom was Sir Thomas Overbury, Lord Cobham. On the death of Arundel, the primacy had passed to Henry Chicheley, the cruelty of whose courts far surpassed whatever was conceived possible to be done, even through the immediate influence of the pope. In fact, the numerous protestations against legatine courts, aided by the influence of the crown, had, in the course of time, so much divested them of their ancient spirit of tyranny and injustice, that in the time of Lollardism, Sir Thomas Overbury attempted to throw himself upon the mercy of the Roman see, rather than upon the archbishops' tribunals.

These persecutions were only relaxed when the public mind was diverted to the splendid conquest of France, in which the yeomen of England, who accompanied their masters to the field of Agincourt, acquired unfading honours:—

And you, good yeomen,
Whose limbs were made in England, shew us here
The mettle of your pasture; let us swear
That you are worth your breeding, which I doubt not;—
For there is none of you so mean and base,
That hath not noble lustre in your eyes.

SHAKESPEARE'S HENRY THE FIFTH, Act III. Scene 1.

§ 9. THOMAS LA WARRE COLLATED PREBENDARY OF NORTH-KELSEY.

It appears, from Godwin, that upon the death of Hugh Hanworth, Thomas la Warre was collated, in 1418, prebendary of North-Kelsey, which, it is added, consisted of the impropriation and advowson of Kelton, in the county of Rutland.

§ 9. THOMAS LA WARRE STYLED DECANUS DECANATUS DE MAMCESTRE.

That Thomas la Warre was styled "decanus decanatus de Mamcestre," as well as rector of Manchester, is shewn in deeds of the date of 1421, shortly to be described. But this is no proof whatever of Mr. Whittaker's assertion, that the two offices of dean and rector were invariably united in the same person. In the fifteenth century, the functions of the dean rural had been so reduced in amount and importance, as to be rendered of easy fulfilment, so that the office began to be regarded in the light of an honorary rather than an onerous distinction. In fact, many of the contentions which had formerly a hearing before the dean, were, as I have previously shewn, adjusted by the archdeacon. Thus when in 1406, the inhabitants of Oldham were required to contribute towards the sacramental bread and wine which were consumed by the mother church of Prestwich, the decree to enforce this order was issued by the archdeacon. A few privileges, however, as, for example, a testamentary jurisdiction, when an estate was under forty pounds, as well as the right to proceed against all ecclesiastical offences save adultery and incest (see page 92), continued to a late date, though under such a watchful surveillance of the archdeacon of Chester, as that no rural dean, without sufferance, could ever claim or exercise a jurisdiction within the diocese of Lichfield.

CHAPTER VI.

THE MOTIVES FOR COLLEGIATING THE PARISH CHURCH OF MANCHESTER.

But we now approach the year 1421, when Thomas la Warre proposed that the parish church of the town should be collegiate. It will, therefore, be expedient to glance at the social state of Lancashire, and other parts of the kingdom, at the time when this important change in the ecclesiastical constitution of the parish church of Manchester was first meditated.

The object which the founder of the college had in view, was two-fold;—the first arising from the extent and increased population of the parish of Manchester, and the second from the abuses of church patronage, whereby the rectors, instead of discharging their pastoral functions, had been accustomed to fill secular offices for the advantage of their patrons. These two motives I shall endeavour to elucidate in the course of the present chapter.

§ 1. THE EXTENT AND INCREASED POPULATION OF MANCHESTER FORM A MOTIVE FOR COLLEGIATING ITS PARISH CHURCH.

The void in the social system of England, which had been induced by the gradual disappearance of villeins, who were silently yet steadily acquiring their emancipation, was replaced by the increase of husbandmen and yeomen. Many of the great landed proprietors began to be fully impressed with the necessity of ameliorating the condition of their villeins, whence the privilege, which was conceded in a majority of cases, to their enjoying the fruits of their respective labours. The husbandman, as he was then named, found himself at liberty to cultivate his peculiar talents and tastes as an artizan, and cities and towns, in all parts of the kingdom, began to be crowded. It was at this period, that the church of Manchester was described as possessing not only a wide and extensive parish, but also one which was very populous:—"Ecclesia de Mamcestre largam et amplam habens parochiam atque multum populosam."—[From the preamble to the Charter of Foundation, dated 1421.]

§ 2. CAUSES OF THE INCREASE OF THE CLASS OF YEOMEN.

The parish of Manchester was not merely getting more populous, but it was also becoming more wealthy. This was owing to the increased number of yeomen who were springing up, which increase may be referred to the following causes:—First, to the demand for the personal services of yeomen in the field of foreign warfare;—Secondly, to the rage for estimating rank by the number of yeomen who were supported as domestic retainers;—Thirdly, to the increase of trade and the means afforded to husbandmen and artizans of purchasing lands, so as to qualify themselves as yeomen;—and, Fourthly, to the incorporation of numbers of the reduced gentry among the class of yeomen. These causes will be briefly explained.

In the first place, the class of yeomen was increased owing to the demand for their personal services in the wars. These hired warriors, selected from the agricultural labourers of England, appear to have rendered eminent services to the baronial, or manorial, lords whom they accompanied to the field of combat, as was shewn in the battles of Cressy and Agincourt. They wore upon their arms various badges, indicative of the heraldic distinctions of their masters, and were also arrayed in some livery of a particular colour, so named because the "livery," that is, "delivery," was the gift of the lord.

Honest yeman in every toun
War wont to weir baith red and broun.

DUNBAR'S POEMS.

In the second place, the class of yeomen was increased owing to the rage which existed for estimating feudal influence by the number of retainers whom a lord, on all occasions of armed defence and aggression, or even for the sake of mere pomp and ceremony, could afford to entertain and support. While an esquire, or knight, could boast of a certain number of yeomen held by him as retainers, the amount would be increased in the retinue of the baron, while the earl would display still more, and so on in ascending the scale of rank, until the halt was made at royalty.

By this practice, so powerful had some nobles become, that coalition was encouraged, whence a certain number of them would be in a state capable of overawing the sovereign himself, and hence, in the 2nd of Henry the Fourth, it was enacted, that no yeoman should take or wear any livery of any lord upon pain of imprisonment, and of making fine at the king's pleasure. But even the royal interference had little or no effect upon the custom of maintaining yeomen as retainers, while, in many instances, the proclamation was evaded, by the younger sons, or brothers, of the gentry, too often in a needy or decayed state, having been induced, yeomanlike, to themselves appear, upon all occasions of defence, aggression, or mere ceremony, in the quality of retainers. There had even prevailed, among landed proprietors, a spirit of mutual accommodation, after the manner of the Scottish bond of manrent, to act for each other as retainers, provided only, that in all such instances, the personage served should be of a rank superior to the person serving. For instance, it was required that the knight should not appear in the retinue of the squire beneath him, but in that of the baron, earl, or duke, whoever he might be, above him, and that the services of the baron should, in like manner, be restricted to the ranks above him, and so on. Still, however, the service of a yeoman was held in the greatest repute of all, being far more effective on all occasions of warfare, or private frays, than that of any other rank whatever, whence the common by-word of "a yeoman's service," in which sense it is used by Shakspeare. Thus Hamlet, in lauding the advantages of writing legibly, and not illegibly, after the fashionable manner of ancient, no less than of modern statists [or statesmen], observes,

I once did hold it, as our statists do,
A baseness to write fair, and labour'd much
How to forget that learning; but, sir, now
It did me YEOMAN'S SERVICE.

But, it is evident, that such a command of the services of yeomen and others could not be procured without a heavy expense of remuneration. Lands were, accordingly, given to husbandmen, previously of the rank of villeins, who, as we have already traced in the barony of Manchester, were thus advanced to the rank of yeomen. And, after this manner, to use the words of an early English historian, "landed proprietors did amortize a great part of the lands of the kingdom unto the hold and occupation of a middle people, of a condition between gentlemen and cottagers." These petty freeholders, or Franklins, as they were then named, having been first called into political existence by the exigencies of the tented field, or by requisitions of mere feudal pomp and display, were severally encouraged to possess themselves of an immediate interest in the land, to the defence or dignity of which they were contributing;—the qualification having been a forty shillings freehold, said to have been equal, in yearly revenue, to about sixteen pounds of our current money, whence they became the *homines legales* of writs and inquests.

It may be, therefore, now remarked, that the possessions which in the early times of the Greslets had rendered the barons of Manchester so powerful, no longer subsisted. The barony of Manchester, like most other parts of the kingdom, had been carved out, and still further subdivided into countless portions, with the view of enlisting yeomen. This was evinced whenever the barons had occasion for their services in the expensive campaigns of Scotland, of the Low Countries, or of France, or whenever they sought for an ostentatious display of baronial influence, which was usually measured by the number of retainers under the beck of a lord.

But, in the third place, a new character had been given to the increased population of Manchester by the increase of trade which had taken place, so as to afford artisans the means of purchasing lands, and of thus qualifying themselves as yeomen. In short, a most salutary change had succeeded to the disturbed period when commerce struggled under feudal oppressions of the most galling denomination, from which it was only liberated by rebellious excitements, which, after commencing in the south of England, had extended even to Lancashire and the adjoining counties. The Men of Kent, who first appeared under Wat Tyler, in hostile array against their oppressors, were advancing themselves from the condition of villeins and bondage tenants to that of opulent yeomen, agreeably to an old adage, which, in my younger days, I have often heard repeated,—

A knight of Cales [*Calais*],
 A gentleman of Wales,
 And a laird of the North countrie,
 A yeoman of Kent,
 With one year's rent,
 Would buy them up all three.

Among the causes to be assigned, why the population of Manchester had not only become more populous, but also more wealthy, the principal was the great increase of the social class intermediate to the husbandman and the esquire. The yeomen of England were amassing much wealth by the industrial arts introduced from Flanders, which they were anxiously promoting. The effect of agricultural industry, when combined with, or made subservient to, commercial enterprises and advancement, may be readily imagined. The yeoman, by the superior management of his farm, in conjunction with the woollen manufactures which he was carrying on, was fast acquiring a competency and even affluence. Shakspeare gives testimony of the wealth of the ancient yeoman in his historical allusion to this precise period:—

Thy father bears the type of King of Naples,
 Of both the Cicils and Jerusalem,
 Yet not so wealthy as an English yeoman.

THIRD PART OF HENRY THE SIXTH, Act I. Scene 4.

It must be also remarked, that the yeomen were, in general, better educated than the classes above them, the cause of which it is not in every instance easy to explain, except that such was the dearth of learning, that the offices of church and state were ever open to the talents of scholars, however mean might have been their origin. Hollinworth notices a tradition, that so early as the reign of Henry the First, A.D. 1120, a yeoman of the name of "Martin Brian, some say Byrom, had given much money towards the building of a free schoole in Manchester, which if true," he adds, "the money was lost or some way or other wickedly alienated, which in the time of the civil warres" [that is, of the houses of York and Lancaster] "might easily have been done, for no free schoole was built of about four hundred years after." Unfortunately, however, the Manchester historian, who seems ashamed to own his authority for the narrative, has disingenuously quoted from nothing more than an ancient English romance, evidently of the time of Henry the Seventh or Eighth, which can have no other value than the mere idea entertained, that the first free school in Manchester did not originate in the commencement of the sixteenth century with Bishop Oldham, but with an opulent yeoman who flourished at a much more ancient date. The quotation from this most scarce work I shall give verbatim, without hazarding the conjecture to what extent it might have been suggested by some lively

tradition or history, the source of which might have been lost in the obscurity of by-gone ages:—"Then," says the romance, "there were three [clothiers] living in the North, that is to say Cuthbert of Kendall, Hodgekins of Hallifax, and Martin Byram of Manchester. Every one of these kept a great number of seruants at worke, spinners, carders, weauers, fullers, dyers, sheeremen, and rowers, to the great admiration of all those that came into their houses to behold them."—"Martin Briam of Manchester gaue toward the building of a free school in Manchester a great masse of money."—[See a modern reprint, by Ballantynes of Edinburgh, of Thomas of Reading, or the Sixe Worthie Yeomen of the West, from the sixth or later edition of 1632, being evidently that which Hollinworth consulted.]

In the fourth, and last place, the increase of yeomen was due to the incorporation within their ranks of many of the reduced gentry, who rather sought the opulence which the vulgar pursuits of commerce afforded than distinctions of blazonry, when under the baneful shade of a disreputable indolence and poverty. With this description of persons, who were early taught to revere the character of the Franklin, in part originated the commercial enterprise by which Manchester was for ages distinguished. According to an early writer, the outside of a Franklin, or small landed possessor, is that of an ancient yeoman of England. "His inside," it is added, "may give arms with the best gentleman, and ne'er see the herald. There is no truer servant in the house than himself. Though he be master, he says not to his servants 'Go to Field!' but 'Let us go!'—and, with his own eye, doth both fatten his flock, and set forward all manner of husbandrie."—[From Sir Thomas Overbury, his wife.]

Having thus learned to imitate the industry of the Franklin, or yeoman, many of the younger sons and younger brothers of landed proprietors, in the vicinity of Manchester, became wealthy clothiers:—"which art of clothing in those days," as the old writer, whom I have lately quoted, has explained to us, "was held in high reputation, both in respect of the great riches that thereby was gotten, as also of the benefit it brought to the whole common-wealth. The younger sons of knights and gentlemen, to whom their fathers would leave no lands, were most commonly preferred to learne this trade, to the end, that thereby they might live in good estate, and drive forth their dayes in prosperity."—[From Thomas of Reading, or the Pleasant Historie of the Sixe Worthy Yeomen of the West.]

We have thus shewn, that it was by the industry of these yeomen, who, in connexion with their agricultural pursuits, were wealthy clothiers, that the town and parish of Manchester had received a more than common influx of industrious artizans. Thomas, Lord la Warre, the patron and rector of Manchester, then found, that such an increased population had very serious religious wants demanding to be supplied, as a remedy for which, he proposed to withdraw the parish church of Manchester from the charge of a rector, and to place the same under the government of a capitular body:—"ecclesiam de Mamcestr in ecclesiam collegiatam erigere."

But it is now time to remark, that while the varied objects which a collegiate foundation embraces had been suggested by the increased population of a large and wealthy trading parish, a more powerful motive must be sought for in the evils which the church had suffered in by-gone ages, under the abuses of patronage inflicted by the Greslets and more immediate ancestors of Thomas la Warre.—This motive will be next explained.

§ 3. THE ABUSES OF PATRONAGE FORM A MOTIVE FOR COLLEGIATING THE PARISH CHURCH OF MANCHESTER.

A little before the time when Thomas, Lord la Warre, meditated the foundation of a collegiate church in Manchester, the council of Constance had put an end to that great schism which had reigned nearly sixty years in Christendom, and Martin the Fifth, in 1417, had been acknowledged as true pope.

The patronage of the church of Manchester does not appear to have been interfered with by the pope, though, at the same time, the old *questio vexata* was still kept alive relative to the papal encroachment upon the rights of patrons, by which foreigners were placed in vacant benefices. The last great agitation on the subject of provisions had occurred in the time of Wycliffe. When the commons addressed the king assuring him, that, under the existing system, every valuable benefice in the country would be engrossed by foreigners, they induced him to pass a new statute, declaring that if any person without the express permission of the king should farm or administer the benefice of any alien within the realm, so as to convey money or goods out of the kingdom, he should for such transgression incur the penalties prescribed by the statute of provisions and be placed out of the king's protection. Although these statutes would appear to have pressed hard upon the pope's jurisdiction, yet they were often set aside as if they had been

only made in *terrorem*. Not unfrequently, also, did the kings of England compliment the see of Rome with the revival of these privileges. As for Henry the Fourth, he had been so disturbed with the conspiracies at home against him, that he was fain to court alliance with the Roman see, and, therefore, at the recommendation of the pope, and to the displeasure of Arundel and the clergy, who remonstrated that the practise of provisions lessened the royal prerogative, he permitted many foreigners to be named to considerable benefices.

In the meantime, the complaints of the Lollards against the pope's provisors, often simoneously obtained, continued unrelaxed. For instance, in an apology for Lollard doctrines, lately published by the Camden Society, the author (supposed to be Wycliffe himself) writes as follows:—"The apostle saith, no man tak honour to himself, but if he be callid of God."—[Heb. v.]—"But now new lawis kennen, that he that most offriþ him, and most persewith with geftis of hand, tunge, or seruise, he schal be preferid to be holiar and abler, bi vertu of a ded bulle."

The mode in which the kings of England interfered with church patronage has been explained in the course of this history. William de Marchia, bishop of Bath and Wells, and Walter Langton, bishop of Lichfield, were successively employed in the treasury, and preparatory to their respective elevation to their sees, were remunerated by a plurality of benefices, of which the rectory of Manchester formed an integral portion. In the reign of Henry the Fifth, the efforts of the pope to regain his ancient privileges, were in some little degree checked by the civil government, and hence patrons of livings had no dependance save upon the king for the preservation of their rights of *advowson*.

But the real interests of the church had, perhaps, the most to fear from the corrupt and sordid practises of patrons themselves, as was very ably shewn by Wycliffe. With the truth of this exposure, Thomas la Warre, and the trustees of his barony acting with him, were perfectly satisfied, as their publicly declared motive for seeking to obviate the evils of patronage (before explained), which had flowed from the malpractises of his progenitors, was to restrict the powers of the patron, and to place the rectory of Manchester for ever under the protection, or surveillance, of a capitular body:—*Cum ipsi pie considerantes quod predicta ecclesia de Mamcestre largam et amplam habens parochiam atque multum populosam, temporibus retrocitatis per rectores consueverat regi et gubernari, quorum aliqui nunquam, aliqui perraro personaliter residere*

curarunt, &c., &c.....a serenissimo domino Henrico, Dei gracia, rege Angliæ.....[impetraverunt,] ut ipsi dictam ecclesiam parochialem de Mamcestr in ecclesiam collegiatam erigere possint.

§ 4. THOMAS, LORD LA WARRE, OBTAINS THE CO-OPERATION OF THE BISHOP OF DURHAM, AND THE BISHOP OF LICHFIELD AND COVENTRY.

Corrupt as the church of England was in the fifteenth and preceding centuries, it is a mistake to suppose that the reformation, of which the seeds were already sown, did not owe much of its progress to the general sense entertained of its necessity by spiritual professors themselves. Robert Grossthead, bishop of Lincoln, so early as the middle of the fourteenth century exposed the vices of the clergy, in which he was followed a century afterwards by the still more energetic rector of Lutterworth, John Wycliffe. In the year 1421, Thomas, Lord la Warre, rector of Manchester, and the kinsman of the two great leaders of the Lollards, Lewis Clifford and John Latimer, imbibed a similar sentiment, his great motive for founding a collegiate church within the parish of which he was incumbent and patron, being not only the extent and increased population of the same, but the evils which in by-gone days had flowed from the abuses of patronage, of which he was anxious to prevent a renewal among his heirs and successors in the adwoson. In proposing, therefore, to collegiate the parish church of Manchester, Thomas, Lord la Warre, derived the most valuable aid and co-operation from Cardinal Langley, bishop of Durham, as well as from William Heyworth, the newly-created and enlightened bishop of Lichfield and Coventry.

Cardinal Langley, bishop of Durham, to whose history allusion has been already made (see page 126), was then in the highest confidence of the English government. In 1414, he had been sent ambassador to France, in conjunction with the earl of Dorset, to propose a treaty of peace, and adjust the dowry of the Princess Katherine, as well as to enforce the demand of certain territories. He entered Paris with a retinue of six hundred men. In 1417, he had accepted the office of chancellor of England, the seals of which were at that time in his hands. Cardinal Langley was not only alive to all the abuses of church government, but he was even predisposed in favour of the 11th article of the "*Rationes et motiva*" attributed to Wycliffe: "*Nullus prælatus debet aliquem excommunicare, nisi prius sciatur ipsum excommunicatum a*

Deo: et qui sic excommunicat, fit hæreticus ex hoc, vel excommunicatus." Imbued with this sentiment, Cardinal Langley in repairing at his own expense a beautiful western chapel within the cathedral church of Durham, placed a font within it, where persons labouring under sentence of excommunication might be allowed to bring their children to receive baptism, and to partake themselves of the sacramental offices. He named the interesting chapel, thus appropriated to the consolation of the desponding, *THE GALILEE*. "*Itē nunciate fratribus meis, ut eant in Galileam: ibi me videbunt!*"—[Matt. xxviii. 10. "Go tell my brethren that they go into Galilee, and there shall they see me."]

Cardinal Langley, who was a trustee under the important deed by which he and certain other individuals became seized of the manor of Manchester, would certainly not have given his assent to the conversion of the rectorial church into a collegiate foundation, if he had not been fully persuaded that the evils of patronage, first exposed by Wycliffe, required a powerful remedy.

In a similar sentiment partook the bishop of the diocese, William Heiworth [or Heyworth], whom Shaw, the historian of Staffordshire, describes as "a person of sharp judgment and learning." William Heiworth was consecrated bishop of Lichfield and Coventry by Richard, bishop of London, in his chapel at Fulham, November 28th, 1420, Henry, archbishop of Canterbury, deputing him to that office. He was translated thither from having been abbot of Saint Albans. "Wonder not," says Fuller, "that he should leave the richest abbey of England, where he took place of all his order, and exchange it for a middle-sized bishopric. For first, even those who most admire the holiness and perfection of monastic life do grant the episcopal function above it in all spiritual respects. Secondly, in temporal considerations the poorest bishop was better, and might be more beneficial to his kindred than the richest abbot, seeing he by will might bequeath his estate to his heirs, which no abbot, incapable in his own person of any propriety, could legally do, whose goods belonged to his convent in common."—[Brewer's ed. of Fuller's Church History, vol. ii, p. 432.] William Heiworth was one of the most munificent and charitable bishops that ever filled the episcopal chair of Lichfield.

It thus appears that Thomas, Lord la Warre, in his design of collegiate the rectorial church of Manchester, demanded by the size and increased population of the parish and the abuses of church patronage, was aided by the counsel of two illus-

trious ecclesiastics, ardent to restore the dignity and spiritual usefulness of holy church, and alive to all her growing corruptions.

§ 5. THE DESCRIPTION OF COLLEGE CONTEMPLATED BY THE FOUNDER.

The college meditated by Thomas la Warre was to consist of a master, or warden, who was required to be a chaplain, and along with him eight fellow-chaplains were to be associated, together with such other fellow-labourers as were necessary to render the Divine services efficient. Fuller states that in addition to the warden and eight fellow-chaplains named in the charter of foundation, were four clerks and six choristers. But the authority for this assertion is not given. Yet, when we consider that this constitution of the capitular body absolutely subsisted when the college was refounded in the reign of Philip and Mary, the inference is that such a staff of functionaries was coeval with the original design of the foundation.

With the aid of this capitular body, it may be now asked,—in what mode the Divine rites and the cure of souls within the parish of Manchester were proposed to be conducted?

In the first place, there was a provision intended for the performance at the mother church of the Divine offices in so complete a form, as to render them accessible to the faithful of the parish at all canonical hours;—

A second provision was to afford the means of sending out from such a large staff of functionaries, spiritual aid sufficient to respond to every parochial requisition;—whether to visit the sick, to receive confessions, to give absolutions, to conduct the sacraments of baptism, or marriage, or to impart any other of the dispensations of holy church, either in the form of consolation, instruction, or penance;—

While a third object was to send forth as apostles from the general capitular body, such active individuals as were charged with administering offices incidental to the solemnization of Divine worship and to the cure of souls, within the remoter divisions of the parochial boundary.

1st. THE DIVINE SERVICES OF THE MOTHER CHURCH.—The first of these objects was the performance at the mother church of the Divine rites in the most complete form. The hours of prayer, in England, were in number seven, commencing at cock-crowing, or before the break of day, with MATINS, which included the three nocturns of the Roman church, and the lauds, or morning praises. At six o'clock, or at sunrise,

PRIME was recited. Then succeeded, at the intervals of three hours each, THE TERCE, or third hour prayer, THE SIXT, and THE NONE. Six o'clock, or sunset, was devoted to VESPER, or evening prayer. And, lastly, followed THE COMPLINE, which was the closing service of the day, being to beg God's protection during sleep.—But this was not all. Masses, at stated periods, were to be sung, as, for example, when required for the repose of the souls of founders and their progenitors,—to say nothing of the additional duties which were demanded at the great fasts, or festivals of the church,—at the feasts of dedication, at certain of the higher sacraments, on occasions of confirmation, or of ordination.

At this period of the English church, these services could not fail to be most onerous, whence the general complaint of the time of Wycliffe, that they were neglected. The mode, therefore, in which Thomas la Warre strove to respond to the wants of a large and populous parish like that of Manchester, was by providing a full staff, or complement, of clerical functionaries, after the manner of a cathedral church, who should be made responsible for giving the faithful an opportunity of assembling during any or the whole of the canonical hours.

2nd. THE PROPOSED CURE OF SOULS.—A second provision incidental to a wide and populous parish, was to be enabled to send out from such a large staff of clerical functionaries, as Thomas, Lord la Warre, and the bishop of Durham might contemplate, spiritual aid sufficient to respond to every possible requisition. Although the warden and all the fellows were intended to be severally made responsible for the cure of souls, there is little doubt that the capitular body would consist of two classes;—the first being appointed to conduct Divine worship, while the second would be selected for duties more properly named parochial, as when the sick were to be visited, or the necessities of the poor were to be relieved, or when confessions were to be received, or when absolutions were to be given, or when penance was prescribed, or when the sacraments of baptism or marriage were to be dispensed. Within the parish of Manchester, one great cause of the popularity of the monks of Kersall had arisen from their promptness not only to relieve the poor, but to dispense the last consolations of holy church to the sick, or dying, whence the jealousy with which this interference with parochial duties had been regarded, during the reign of John, by a rector of Manchester. Eventually an act had passed of Henry the Fourth, forbidding any appropriation

of benefices to a convent or capitular body, unless a sufficient endowment should be first settled upon a vicar, or vicars, to perform all parochial duties, and unless a part of the revenues should be allotted for the relief of the poor.—[Tierney's ed. of Dodd's Church History, vol. i, p. 158.]

3rd. THE PROPOSED FULFILMENT OF SPIRITUAL OFFICES IN THE REMOTER SUBDIVISIONS OF THE PARISH.—Manchester and Salford, divided from each other by the Irwell, formed a part of the north-westerly bounds of the parish. To the north of Manchester, were Cheetham, Broughton, Crumpsall, Blakeley, and Harpur Hey.—On the east, were Bradford, Failsworth, Droylsden, Moston, Newton, Openshaw, Gorton, and Denton.—On the south, south-west, and south-east, were Hulme, Stretford, Moss-side, Rushholme, Chorlton-row, Chorlton-with-Hardy, Didsbury, Levenshulme, Withington, Burnage, Heaton Norris, Reddish, and Haughton.

The parish of Manchester, including these hamlets, was of great extent, being from seven to nine miles from east to west, and from eight and a half to nine miles from north to south. A third object, therefore, incidental to the large and populous parish of Manchester, was to be enabled to send forth, from the capitular body intended to be constituted, such active individuals as were charged with administering to the Divine services and the cure of souls in the remoter divisions of the parochial boundary.

The college of Manchester was, as I have already hinted, modelled in some degree after the constitution of a cathedral church. Originally, the cathedral church, where the bishop had his cathedra, or seat, was the parish church of the whole diocese,—which diocese was, in very ancient times, called *parochia*. And, down to a comparatively late period, if any one resorted to a cathedral church, he was considered, within the meaning of the statute, as resorting to a parish church. In primitive times, bishops were constantly resident at their respective cathedrals, and had several clergymen attending them, whom, whenever there was a probability of success, they sent to preach to and convert the people. These missionaries had no fixed cures, or titles, to particular places, but either returned from or continued in their places as occasion required, having been simply entered in the bishop's registry, from which they could not be discharged without the episcopal consent. Eventually, however, when Christianity triumphed, and when more churches were built, the cure of souls was limited both to places and persons. Parishes were formed and priests appointed by presentation,

institution, and induction, who were entitled to the tithes and offerings of the local subdivisions within which they had the cure of souls.—[See Hook's Church Dict. in v. Cathedral, &c.]

Now, it must be confessed that the designed college of Manchester was intended to be modelled after the constitution of the primitive, rather than of the later episcopal see. A capitular body was proposed to be formed having functions not confined within the rectorial church of Manchester, after the manner of the dean and canons of a cathedral church, but extending over a large parish seven to nine miles from east to west, and about nine from north to south. In this case the master or warden of the contemplated capitular body, would, like the ancient bishop, be required to send forth the clergymen under him to such remoter districts of the parish as demanded spiritual aid, which missionaries would have no fixed cure, or titles to particular places within the parish, but would either return from or continue in the localities to which they had been sent, as the occasion might require. Their names having been registered as belonging to the college, they would act agreeably to the instructions, or mandates of the capitular body.

That two or three chapels of ease subsisted at this time within the large parish of Manchester, there is some reason to suspect:—there was one at Didsbury, and another perhaps at Gorton or at Heaton. No doubt, the number would be now increased.

§ 6. AN INCREASED ENDOWMENT PROPOSED TO BE BESTOWED UPON THE CONTEMPLATED COLLEGE.

The previous endowment of the rectory of Manchester consisted, first, of a carucate of land in Kirkman's Hulme, granted to the church of Manchester previous to the Norman conquest;—secondly, of the glebe of land in Deansgate, gifted by one of the earlier barons of Manchester, a Greslet, to the church (see page 18);—thirdly, of the tithes of the parish of Manchester, comprising those of its various hamlets.

The present object of Thomas la Warre was, that the profits, rents, tithes, offerings, &c., of the collegiated church should reach two hundred and fifty marks and more annually, for which reason he meditated an additional bequest of land in the Baron's Hull, at Nether Aldport, at Gorton Green, and at Heaton, subject, however, to the payment of certain annual pensions. The details of this endowment will be explained in a subsequent chapter.

§ 7. BY WHAT LAWS THE PROPOSED CAPITULAR BODY WAS INTENDED TO BE GOVERNED.

In a very early period of Christianity, when an ecclesiastical division, however extensive it might be, was simply named *parochia*, the cathedral church being the parish church of a whole diocese [see Hook's Church Dict., 4th ed., p. 171], laws were framed to secure the presence of the presiding priest at the greater feasts, to regulate the efficient residence of the dean, master or warden, the prebendaries and canons, as well as to regulate other matters of discipline and the due management of temporalities. In like manner, Thomas la Warre intended that the college of priests, or chaplains, which he was about to form within the parish church of Manchester, should be governed by certain statutes, decrees, customs, and ordinations, obligatory upon the master, or warden, of the proposed college, the fellow-chaplains, the clerks, and the choristers. By such internal regulations there would be adjusted the holding of chapters, the mode of admitting the members of the college, the mode in which solemn offices were to be performed, the efficient residence and dwelling together of the fellows, the correction and reformation of crimes and abuses, and the penalties to be attached to a neglect of sacred duties and to other derelictions.

CHAPTER VII.

REPRESENTATION TO THE BISHOP OF THE DIOCESE OF THE EVILS WHICH HAD RESULTED IN MANCHESTER FROM RECTORS HAVING BEEN EMPLOYED IN SECULAR OFFICES.

This protest of Thomas la Warre, of the bishop of Durham, and others, I shall endeavour to illustrate by a reference to Wycliffe's exposure of the abuses of church patronage,—confining myself, however, to the censures which he bestows upon lay patrons. At the same time, spiritual patrons, such, for instance, as bishops or archdeacons, fell no less under the reformer's lash;—but as these functionaries had little or no influence in the patronage of the church of Manchester, any reference to their failures of duty would be out of place. The evils which Thomas la Warre sought to rectify were those of his predecessors and ancestors in the advowson of the church of Manchester,—the *Greslets* and *La Warres*.

We infer from this exposure, that the complaint against lay patrons was, that they made the emoluments of the church subservient to the remuneration of rectors, who, from their superior education,

and the comparative ignorance of the laity even among the higher classes, were employed in secular capacities;—secondly, that if these patrons had not their offices “done for nought” (to use the expression of Wycliffe), it was demanded that in every presentation of clerks to benefices, they should be paid in gold;—and, thirdly, that incumbents should give procuration to their patrons, that is, provision or entertainment upon each occasion of visit.

In the first place, it is complained by Wycliffe, that lords would not present “a clerk able of God's law and of good life and of holy ensample to the people, but a kitchen clerk, or a penny clerk, or one wise in building castles, or other worldly doing;” also, that “they would have their offices done for nought, and their chapels holden up for vain-glory or hypocrisy.”—In other words, patrons would reject priests holy of life and devout in their prayers, preferring such as could supply, by their superior education and learning, the secular offices of stewards of the household, clerks of accounts, or even architects,—the salary for which offices would be derived from their respective benefices. And if, perchance, these secular officials should ever be called upon to perform spiritual services, such services would be restricted to the lord's private chapel, in aid of the gorgeous and vain-glorious display exhibited by idle retainers of the household, when assembled at mass.

In the second place, it is asserted, that patrons were not even content with having their secular offices “done for nought.” When they had no very onerous office in their household to bestow upon the chaplains whom they presented to benefices, and whom they considered as remunerated from benefices alone,—“in this case,” adds Wycliffe, “when lords shullen present clerks to benefices, they wolen have commonly gold in great quantity.”

And, thirdly, according to the great reformer, patrons would have procurations from the priests whom they presented to benefices, “who were obliged to make great feasts to rich persons costly and gayly arrayed, at the peril of being hayned on as hounds, and each man ready to peire them in name and worldly goods.” This imposition is explained in the apology for Lollardism (p. 78) after the following manner:—“It is sed to prestis, Frely ye han tan, frely gevith, and to this acordith mani decres of the kirk, and doctors, with mani peynis. But nou are found new constitucouns of procuracies and customis and other expensis, so that noither sacrament, nor benefice, nor ministry, is gevein nor tan frely after Cristis bidding; but overal goth symonie privily or apert.”—[From “An Apology for Lollard Doctrines, attributed to Wycliffe,” and printed for the Camden Society

from a manuscript in the library of Trinity College, Dublin.—Edited by James Henthorn Todd, D.D., V.P.R.I.A.:—1842.]

In the preamble to the Manchester charter of foundation, we are made acquainted with the substance of a most remarkable conference held by Thomas, Lord la Warre, in concurrence with the bishop of Durham and his four co-trustees, wherein the bishop of the diocese was made convinced of the spiritual destitution under which the large and populous parish of Manchester had long suffered from an abused benefice. This representation is so strange, that a literal translation of the same, extracted from the charter of foundation, may be given at length:—

“A venerable man, a beloved son in Christ, Thomas la Warre, clerk, now rector of the church of Manchester aforesaid, and late lord of the manor and advowson of the aforesaid, by whose gift and infestment the said Lord Thomas, the Bishop [of Durham] and the others named with him have held and do hold the manor with the advowson aforesaid, * * * they, piously considering, that the aforesaid church of Manchester having a large and ample parish and very populous, had been accustomed to be ruled and governed in by-gone times [temporibus retrocitis] by rectors, some of whom never [and] some very seldom cared to personally reside in the same,—but that to the same church, over which a great and grand cure of souls did and doth hang, they [the rectors] caused the adminicle [aid, or ministry] to be served by remotive, stipendiary chaplains, converting for their pleasure the profits and revenues of the same church to their own uses,—from whose long absence followed a neglect of the cure of souls, a diminution of Divine worship, a defrauding of hospitality and of the support of the poor, and a great danger of souls.”—[From the Charter of Foundation, which will appear in a subsequent chapter.]

This is one of the most remarkable protests against the degradation of church discipline which is extant,—expressed in language almost as strong as Wycliffe himself would have used. In comparing, also, the evils complained of, with those which the reformer had exposed in his reproachful treatise, “Why many priests have no benefices,” as well as in his other writings, it will be evident that they are identical, and that they severally originated from the same cause, namely, from the abuses of church patronage:—“Such benefices comen not freely as Christ commandeth, but rather for worldly winning, or flattering of mighty men, and not for cunning of the gospel, and ensample of holy life.”

The abuses denounced by Thomas la Warre and

the bishop of Durham, for which remedies were supplicated, may be reduced to the following:—

First,—The non-residence of rectors, with which great cause were connected many of the other evils complained of. These were—

Secondly,—The abandonment of the parishioners, by non-resident rectors, to remotive, stipendiary chaplains;—

Thirdly,—The application, by the same non-resident rectors, of the profits and revenues of the church to their own private use;—

Fourthly,—The neglect of the cure of souls, which followed the absence of rectors:—While other consequences resulting from the same cause were—

Fifthly,—A diminution of Divine worship;—

Sixthly,—A defrauding of hospitality and of the support of the poor;—

Seventhly,—A great danger of souls.

§ 1. THE NON-RESIDENCE OF RECTORS REPRESENTED AND COMPLAINED OF.

It is said, in the Manchester charter of foundation, that the large, ample, and very populous parish of Manchester had been accustomed to be ruled and governed in by-gone days by rectors, of whom some never, and others very rarely, cared to personally reside in the same.

This non-residence, as I have shewed, was mainly attributable to the rectors of Manchester having been required by their patrons to fill secular offices,—a practice which everywhere prevailed. In the apology for Lollard doctrines, attributed to Wycliffe, we understand as follows:—The apostle saith, no man holding by knighthood to God, employeth him to worldly business, and doctors acordyn [agree] as is put in the law. BUT NOW ALMOST IS NO WORLDLY BUSINESS THAT MINISTERS OF THE ALTAR ARE NOT EMPLOYED IN, as is open in their deeds, whereof it followeth, that they live contrary to holy writ and to the decrees of old fathers.—[Wycliffe's Apology, p. 77.]

In fact, this very general employment of priests in worldly business was causing in the church a lamentable dearth of able and efficient ministers, which had this signal disadvantage,—that such clerks as had restricted themselves to spiritual vocations, were tempted to undertake the duties of a plurality of livings, or other ecclesiastical dignities. Hence we explain one reason why, in the time of Wycliffe, little or no censure was passed against very extensive pluralists, among whom Thomas, Lord la Warre, may be assuredly ranked. He was not only rector of Manchester, but likewise parson of the church of Sleaford,

canon of the church of the Blessed Mary in Lincoln, prebendary of Southwell, &c. &c.

In the absence of any other explanation, it might, after all, be no easy task to satisfy ourselves with the exact position maintained by Thomas, Lord la Warre, or with his consistency, when he, a pluralist, took upon himself to represent to the bishop of Lichfield the evils flowing from non-residence. But, as a learned churchman,—which, in judging from his high rank, and his means of education, no doubt he was,—there was another extenuating circumstance to be taken into consideration, as flowing from the custom of papal provisions:—So much, in fact, had the possession of benefices by foreigners discouraged the English youth, that they were taking no care to qualify themselves as divines, and thus, alas! the studies of the universities were beginning to languish. Considering, then, this want,—less of clerks in general, who were ever numerous enough,—than of able or learned clerks, it can excite little or no surprise, that, even in the scrutinizing age of Wycliffe, priests who happened to be versed “in the cunning of God’s law,” should be allowed, by virtue of their plurality of livings, “to go among the people whom they should in turns profit, without challenge.” Even Wycliffe himself, in conjunction with his rectory at Lutterworth, had a professor’s chair in Oxford.

In short, the non-residence complained of in the rectory of Manchester was that which originated with clerks holding secular offices, generally in the household of their patrons, for which they were remunerated by the temporalities of the benefices thus conditionally given to them. In all these cases the neglect of Divine worship, and of the cure of souls, became the source of the deepest regret and complaint.

In the extensive and populous parish of Manchester, the obvious remedy for such an evil,—being that which suggested itself to so munificent a patron as Thomas, Lord la Warre proved himself to have been,—consisted in increasing the number of efficient labourers. In the place of a single rector, he proposed a warden, who should preside over a guild, consisting of eight fellows, four clerks, and six choristers, dwelling together and severally bound to residence by stringent laws, and fulfilling their parochial duties “capitulariter,” or chapter-wise, to the profit of many souls. So that, in the language of Wycliffe, “priests might live like to angels, as they ben angels of office, not turnen agen to their former sins for abundance of worldly goods and idleness in their ghostly office, and over much business about this wretched life;”—“that they might live in clenness and sikerness

[sureness] of conscience,—for to be mo like to Christ’s life and his apostles, and for to profit mo to their own souls and other mens.”

§ 2. THE COMPLAINT THAT THE PARISHIONERS OF MANCHESTER WERE ABANDONED TO THE CARE OF REMOTIVE, STIPENDIARY CHAPLAINS.

The expression of the charge is,—that seeing a vast care of souls attached itself to the extensive and populous parish of Manchester, the non-resident rectors had allowed the ministry to be served by remotive, stipendiary chaplains.

This charge, made by Thomas la Warre, I had long felt the greatest difficulty in comprehending. But, after a perusal of “the apology for the Lollards,” printed for the Camden Society, in connexion with the notes of the truly learned editor, Dr. Todd, of Trinity College, Dublin, the accusation is no longer mysterious.

By stipendiary chaplains, was meant chaplains who “hired out work.” Thus, in the petition of the House of Lords to the king, A.D. 1382, it was a favourite position of the Lollards, that “it is not lawful for a presbyter to hire out his work.” Also, in Wycliffe’s apology for the Lollards (p. 52), we find the following passage:—“And eft Hostien-sis seith of hem that geven a peney, or peyneyes to prestis for to do aniversaries, or to syng a messe of the Holi ghost, or swilk maner, or for to sing trentaylis [thirty days’ masses for the dead] in alle swilk casis, to tak or gef temporal thing for goostly thing, of forthword [bargain beforehand], or certeyn covenaut, it is symonye.” And in the reply to a conclusion objected against W. Swinderby in 1389 (which Dr. Todd, in illustration, quotes from Fox), it is said, “that no priest ows [ought] to sell by bargaining and covenant his ghostly travel, ne his masses, ne his prayers, ne God’s word, ne hallowings, baptism, ne confirming, order giving, for weddings, for shrift [confession], housel [the blessed Eucharist], or for ennointing;—any worldly men’s to ask or take for these, or for any of these, or for any ghostly thing, he errs and doth simony.”

From these remarkably interesting extracts, in connexion with a clause in the remonstrance of Thomas, Lord la Warre, we have every possible information of the mode in which the services of the church of Manchester were performed, during the absence of rectors employed in the secular offices of their patrons. It is evident that chaplains of this stipendiary character had been required by the non-resident rectors of Manchester, or, perhaps occasionally, by the neglected parishioners them-

selves, to "hire out their work," after the manner described, and to covenant for singing so many masses, or for hallowings, prayers, baptism, shrift, &c. &c. This practise was highly censured by the Lollards, who declared that "prestis to sing may not first mak covenaut without symonie."

But these stipendiary chaplains exercised their craft in another mode:—As they travelled about the country seeking "to hire out their work" in such parishes as might have been left destitute by non-resident rectors, they were termed by Thomas, Lord la Warre, "remotive;"—that is, they removed from parish to parish, engaging themselves, like labourers at a statute fair, to do the spiritual work of a parish for a given time, whether for a year or a day. This is shewn in Wycliffe's apology (p. 52), when in remarking, that "a prest may astreyn himself a yer to dwell with a man to serve him, as writ [write] or teche children," it is urged, "of this mater thus seyn feithful doctors of divinitie and doctors in lawe of the kirk thus: A prest wether he be benefid or not, he howith [ought] not to sett to hire his gostly warks; nor is it leful to him to reseuye any thing of covenaut to a day or yere for Goddis seruyce to be seid."

Such was the character of the remotive and stipendiary chaplains stigmatized in the Manchester charter of foundation, who, in the absence of the non-resident rectors of Manchester, hired out their work as journeymen by the day or by the year, or even "for job work," engaging "for a penny, or pennies, to do anniversaries, or to sing a mass of the Holy ghost, or to sing trentals, or to take and give temporal things for ghostly things."

The practical remedy of this parochial evil was sufficiently evident;—it was, that the neglected parish of Manchester should be placed under the spiritual guidance of a warden and a large staff of subordinate functionaries, severally bound, under heavy penalties, to residence. By so salutary a check, the visits of the spiritual journeymen "who hired out work" would soon cease.

§ 3. THE REPRESENTATION THAT THE NON-RESIDENT RECTORS APPLIED THE FRUITS AND OFFERINGS OF THE CHURCH TO THEIR OWN USE.

This charge against chaplains brought in by lords, who, in holding them in their worldly office, did not purvey true curates to the people, is a very frequent one in the writings of Wycliffe:—"The apostle saith, we having food and hyling [raiment] hold us paid, and by the saws [sayings] of Jerome, Ambrose, and Bernard, clerks ought to be content of livelihood, and have all things in common. But

now, by new laws, clerks appropriate to themselves temporal things as seclereis [seculars] and not only to livelihood and hyling [clothing] but to lust and worldly highness. Wherefore it followeth, that either these saints bear false witness, or that such laws by which this manner of having is defended, are contrary to them and to holy writ; or else that clerks now are false witness against their laws, and thieves, and refars [plunderers], and false intruders."—[Wycliffe's Apology, p. 76-7.]

Quotations of similar import to the foregoing might be greatly multiplied.

The remedy proposed, namely, the subjection of the parish church of Manchester to a capitular body, would be calculated to afford a sufficient remedy for the abuse complained of:—there would be no expenditure except under the control of a chapter, and, consequently, mal-appropriations would be less likely to ensue.

§ 4. THE REPRESENTATION OF THE NEGLECT OF THE CURE OF SOULS.

This, also, was a frequent subject of complaint with Wycliffe, who, in speaking of the poor priests who were instructed by him, remarks, that "they dreden sore that by singular cure ordeyned of sinful men, they shulden be letted [prevented] fro better occupation, and fro more profit of holy church. And this is the most dread of all, for they have cure and charge at the full of God to help their brethren to heavenward, both by teaching, praying and ensample giving." The reformer likewise lamented that, "in appointing secular men to divine offices, an idiot was often called to be a vicar or parish priest, who could not do, and might not have leave to do the office of a good curate."—[See Gilpin's Life of Wycliffe, p. 97, and Vaughan's Wycliffe, vol. ii, p. 283.]

In the collegiating of the parish church of Manchester, it is evident, that the neglect of the cure of souls would be provided for by the enforcement of penalties at the discretion of the chapter, as well as by the expulsion which would be demanded in case habitually careless chaplains were introduced among the parishioners.

§ 5. THE CHARGE OF A DIMINUTION OF DIVINE WORSHIP.

This complaint is of frequent occurrence in the writings of Wycliffe. It is recommended that priests should study holy writt and be devout in their prayers, and not be carried astray with new [that is secular] offices; "then," he adds, "shulde priests be busy to seke God's worship and saving of

their own souls, and not their own worldly glory and winning of worldly dritt."

That Thomas, Lord la Warre's, proposed college had the means of obviating this neglect, will be evident from the staff of functionaries, such as chaplains, clerks, and choristers, under the control of a warden, which would be fully sufficient for the celebration of Divine worship at all the canonical hours.

§ 6. THE CHARGE OF A DEFAUDING OF HOSPITALITY AND OF THE SUPPORT OF THE POOR.

In the earlier institution of tithes, one-third went to the support of the *persona ecclesiæ*; another third to keep up the repairs of the church; while the remaining third was devoted to the relief of the poor.

In the accusation which Thomas, Lord la Warre, brought against the rectors of Manchester, he charged them with a defrauding of hospitality, as well as of the support of the poor. By the term "hospitality," was implied the appeals made on behalf of the houseless, whether travelling to markets, or fairs, or elsewhere, and requiring shelter for the night, or whether an application for hospitality was complicated with the plea of poverty, sickness, or age. With the view of meeting these various cases, hostels as well as almshouses were considered as essential parts of a parochial establishment, towards the support of which, as well as for the in-door relief of the poor, sick, or impotent, a third part of tithes was originally destined.

Now it would appear, that Wycliffe not only kept in view this distribution of tithes, but even took up the position that tithes were a sort of alms, nowhere of gospel institution, which the people might either give or withdraw, as they found their pastor deserved. "Exact your tithes," he recommended, "by the holiness of your lives. Ill befits a man who lives on the labors of the poor to squander away the dear-bought fruits of their industry upon his own extravagances."—[Gilpin's Wycliffe, p. 76-7.]

There are various other passages in Wycliffe's writings, wherein we not only find, that, while tithes were regarded as the alms given by the poor, or less opulent, for the specific purposes described, they were significantly named "poor men's goods," which no rector or patron could misspend, without incurring the charge of "a defrauding of hospitality and of the support of the poor;"—the precise terms, in fact, under which a charge was actually preferred against the succession of rectors in Man-

chester by Thomas, Lord la Warre, who unquestionably had adopted some of the peculiar views of the Lollards. "Yet tho poor priests," says Wycliffe, "mighten freely gotten presentation of lords to have benefices with cure of souls, they dreaden of misspending poor men's goods. For priests owen themselves paide with food and clothing, as Saint Paul techeth, and, if they have more, it is poor mens goods, as their own law, and God's law seyn, and they ben keepers thereof, and procurators of poor men." The reformer also recommended that the alms of the people "should be withdrawn fro wicked preests, and that they should not be contreynd to pay their tithes and offerings to open cursed men to meyntheyne them in their open cursednesse."

The mode in which "this misspending of poor men's goods," or, to use the language of Thomas, Lord la Warre, "this defrauding of hospitality and of the support of the poor" occurred in Manchester, is not stated. Wycliffe, however, has shewn, that there were various modes in which tithes, or "poor men's goods," might be diverted from their original destination.

Of these, the first was by the sums simoniacally given to patrons for presentation—as I have just shewn. "Yet tho' poor priests mighten freely gotten presentation of Lords to have benefices with cure of souls, they dreaden of misspending poor men's goods."—This practise is denounced in the strongest, and even awful terms. Yet "more traitery is in false curates, that geven mede, or hire, to comen into worldly offices, and to get lordship and maintenance against ordinances, and couchen in lords' courts for to get mo' fatte benefices, and purposen not spedly to do their ghostly office. Woe is to the Lords that been led with such cursed heretics, antichrists, traytors of God and his people, and traytors to Lords themselves; who ben so blinded, that they perceiven not that such traitors, that openly ben false to God, wolen much more been false to them."

A second misapplication of tithes, or a defrauding of hospitality and of the support of the poor, was said to consist in the sums paid by false curates for institution and induction:—"But for institution and induction," says Wycliffe, "he [the priest] shall give much of this good, that is poor men's, to bishops' officers, archdeacons and officials, that ben too rich."

A third mode "of misspending tithes, or poor men's goods," or, in Thomas Lord la Warre's language, "of a defrauding of hospitality and of the support of the poor," was in expensive feasts prepared for the entertainment of patrons, bishops, and others, whenever they might visit the church

of which they possessed the advowson. The reformer was most indignant at this abuse of patronage, and bestowed upon it the severest epithets. "Many times," he observes, "patrons willen look to be feasted of their curates, else maken them lese that little that they and poor men shullen live by. So that they shullen not spend their tithes and offerings after good conscience and God's laws, but waste them on rich and idle men."—"And when bishops and their officers comen and feynen to visit, tho they nourishen men in open sin for annual rent, and don not their office, but sellen souls to Sathanas for money, wretched curates ben neded to feasten them richly, and give procuracy and synage, yea against God's law, and man's and reason, and their own conscience."

A fourth mode of misspending tithes, or defrauding the poor of their support, was affirmed to be by purchasing the higher sacraments of which a patron or lord might stand in need, as, for instance, at weddings, baptisms, trentals, &c. "And if," says Wycliffe, "they shullen have any high sacraments, commonly they shulle buy them with poor mens goods."

A fifth mode of "wasting poor men's goods," or defrauding the poor, was by suing parishioners for tithes at the expensive courts of bishops and archdeacons. Wycliffe accordingly laments, that when tithes and offerings were wasted on rich and idle men, small curates should have letters "fro their ordinaries to summon and curse poor men for covetisse of antichrist's clerks," or, in other words, to summon poor men to the bishops' courts for excommunication. "So many cursed deceits," he adds, "hath Antichrist wrought up by his worldly clerks to make curates to mispend poor men's goods, and not truly do their office; or else to forsake all and let Antichrists clerks, as Lords of the world, rob the poor people by feyned censures, and teach the fiend's lore both by open preaching, and ensample of cursed life."

Such was the defrauding of hospitality and of the support of the poor, through the misapplication of tithes and oblations, which alike fell under the censure of Wycliffe, and of Thomas, Lord la Warre.

That practises like these would be checked by extinguishing the power of patrons, as Thomas la Warre meditated, and by placing the distribution of the funds of the church under the wholesome laws of a capitular institution, is sufficiently evident. A capitular body, for instance, would not be the medium through which bribes, exacted from tithes, would be simoniacally offered;—there being no patrons for presentation, or bishops, archdeacons, and other officials, for

institution and induction. Nor would there be occasion to give feasts to rich men as procurations, nor to purchase high sacraments. Lastly, the munificent founder intended, by new endowments, to add greatly to the means of dispensing hospitality and alms to the poor, without the necessity of prosecuting needy parishioners in the courts of bishops and archdeacons. By a removal of these evils (to use the language of the great reformer), "then would symony, covetisse and idleness of worldly clerks be laid down, and holiness and true teching and knowing of God's law be brought in both in clerks and lewid men [i.e. laymen]: also thus shulde striving, pleading, and cursing for dymes and offerings and hate and discord among priests and lewid men [laymen] be endid, and unity, peace, and charitve meyn-teyned."

§ 7. THE REPRESENTATION OF THE GREAT DANGER OF SOULS.

In describing the great danger of souls to be apprehended from "Antichrist's clerks," Wycliffe observes, that "by money, and flattering, and fleshy love, gedring to them leading of the people, they forbare [forbade] true priests to teche God's law, and, therefore, the blind leadeth the blind, and both parts runnen into sin, and full many to hell: and it is huge wonder that God of his righteousness destroyeth not the houses of prelates, and lords, and curates, as Sodom and Gomor, for heresie, extortions, and other cursednesses."

From this extract we should infer, that it was from the evil examples set by prelates, lords, and curates, as well as by a neglect of spiritual offices, that the reformer, as well as Thomas, Lord la Warre, apprehended a great danger of souls. This was not, however, the whole view which Wycliffe took of the causes endangering souls. Dr. Todd, in the very luminous and instructive notes which he has appended to "the apology for the Lollards," observes, that it was a distinguishing trait of their doctrines, that if any one merely heard the mass of a priest guilty of any great crime, knowing him to be such, his soul would be in mortal sin, and that, unless due inquiry had first been made, ignorance of this fact would not excuse the laity from this guilt. "If ani," says Wycliffe, "hear the messe of a prest that levith in lechery, and knoweth him to be swilk, [he] synnith dedely;"—which doctrine is supported by a reference to the first of Corinthians, the sixth chapter and ninth and tenth verses;—to a decree of the Roman synod under Nicholas the Second, A.D. 1059, wherein it is ordained, that no priest having a concubine

should celebrate mass, or assist at its celebration;—as well as to another under Alexander the Second, A.D. 1063, in which the laity were enjoined not to hear the mass of such a priest.—[Apology for the Lollards, edited by Dr. Todd, Introduction, p. xxx, and p. 37.]

That Thomas, Lord la Warre, adopted the extreme view of the Lollards, in his allusion to “the danger to souls” which arose from false clerks, who in various ways betrayed the spiritual interests of their parishioners, we are not informed. The supposition is merely rendered probable by the expression occurring in connexion with other charges against the rectors of Manchester, wherein an adoption of the views of Wycliffe cannot for a single moment be denied.

Dr. Todd has remarked on the doctrine, that the people were the judges, or punishers, of delinquent priests, that “the principle assumed in such a proposition was the ground of many similar conclusions in the theology of the Lollards; as, for example, that the incontinence of the clergy released their parishioners from the obligation to pay tithe; and that the priest in deadly sin could not consecrate the body of Christ, nor minister efficaciously the other sacraments. And these principles,” adds the learned editor, “continued, even to the period of the Reformation to produce such pernicious effects, that it was thought necessary to affirm the contrary in one of the thirty-nine articles of religion.”—[See Article XXVI. “Of the unworthiness of the ministers which hindereth not the effect of the sacraments.”]

But if this tenet was found inconvenient to the early reformers, how much more important was it that the Roman Catholics should endeavour to repudiate a doctrine which was calculated to bring the whole of the moral life and conduct of their priests, or bishops, to public scrutiny, before any layman could relieve his conscience, that in knowingly listening to the mass of a priest who lived in lechery, he had not committed a mortal sin, or that a priest in deadly sin could really consecrate the body of Christ, or minister efficaciously the other sacraments. Accordingly, I am indebted to a friend for pointing out to me the contradiction which so troublesome a doctrine met with from the last general council of Trent, continued from 1545 to 1563:—

THE UNWORTHINESS OF THE MINISTER DOES NOT AFFECT
THE VALIDITY OF THE SACRAMENTS.

But representing as he [the minister] does, in the discharge of his sacred functions, not his own, but the person of Christ, the minister of the sacraments, be he good or bad, validly consecrates and confers the sacraments, provided he make use of the matter and form instituted by Christ, and always observed in the Catholic Church, and intends to do what the church does in their administration, —unless, therefore, Christians will deprive themselves of so great a good, and resist the Holy Ghost, nothing can prevent them from receiving, through the sacraments, the fruit of grace. That this was at all times a fixed and well-defined doctrine of the church, is established beyond all doubt by St. Augustine, in his disputations against the Donatists; and should we desire scriptural proof also, we have it in the words of St. Paul:—“I have planted,

Apollo watered, but God gave the increase.” Neither he that plants, therefore, nor he that waters, is anything, but God who gives “the increase.” As, therefore, in planting trees, the vices of the planter do not impede the growth of the vine, so, and the comparison is sufficiently intelligible, those who were planted in Christ by the ministry of bad men, sustain no injury from guilt which is not their own. Judas Iscariot, as the holy fathers infer from the Gospel of St. John (iv. 2), conferred baptism on many; and yet none of those whom he baptized are recorded to have been baptized again. To use the memorable words of St. Augustine:—“Judas baptized, and yet after him none were re-baptized: John baptized, and yet, after John, they were re-baptized; because the baptism administered by Judas was the baptism of Christ, but that administered by John was the baptism of John. Not that we prefer Judas to John, but that we justly prefer the baptism of Christ, although administered by Judas, to the baptism of John, although administered by the hands of John.”

But let not the pastor, or other minister of the sacraments, hence infer that he fully acquits himself of his duty, if, disregarding integrity of life and purity of morals, he attend only to the administration of the sacraments in the manner prescribed.—It should never be forgotten, that the sacraments, although they cannot lose the Divine efficacy inherent in them, bring eternal death and everlasting perdition on him who dares to administer them with hands stained with the defilement of sin.—[See p. 150 of the Catechism of the Council of Trent, translated into English by the Rev. J. Donovan.]

But to conclude.—In reference to the actual state of discipline existing in the English church, during the eventful period of the Lollards,—I have at length attempted to explain, in all its counts, the representation made by Thomas, Lord la Warre, in conjunction with the bishop of Durham and others, to William Heiworth, the bishop of Lichfield, who was importuned, on the strength thereof, to concur with them in the propriety of collegiating the parish church of Manchester.

Amidst the numerous corruptions of church discipline and doctrine, assigned by ecclesiastical writers as causes which gave rise to the English reformation, it is passing strange, that the evils resulting from the abuses of patronage, or from the employment of ecclesiastics in divers secular offices, should have met with such little regard. It is for this reason, that the public manifesto of Thomas, Lord la Warre, now first published, acquires a deep historical interest, which is heightened by the consideration, that the prayer of the same was supported by Cardinal Langley, the enlightened bishop of Durham, only to have its justice more fully confirmed and responded to, by a churchman, of nearly equal eminence, William Heiworth, the munificent bishop of Lichfield and Coventry, in conjunction with various other ecclesiastics assembled in convocation. It is thus evident, that, in the time of Wycliffe, the cause of reform was as much advanced by an internal movement within the pale of

Holy Church Herself, as by external pressure resulting from the vehement protests of a discontented laity.

A summary of these historical researches may be stated as follows:—

First,—That in the parish of Manchester, the predecessors of Thomas la Warre, possessing the advowson of the church, had made presentations of the incumbency, on the condition, that priests should serve in some secular office, generally in their own household, or occasionally in the king's treasury, to the fulfilment of which they were recommended by their education, or scholarship;

Secondly,—That, in consequence of the neglect of the cure of souls and the diminution of Divine worship, which ensued from the non-residence of rectors, the parish of Manchester was left dependant upon a description of "remotive, stipendiary chaplains," so named from their habits of removing from parish to parish, and of "hiring out their work," who would contract to sing a certain number of masses, or to perform a stated number of sacraments for a stated number "of pennies," or would otherwise, after the example of labourers hiring themselves out at a statute fair, contract for their spiritual offices for any given time,—varying from a year even to a day;

Thirdly,—That the non-resident rectors would generally apply the profits and revenues of the church to their own private uses;—that from such temporalities they would simoniacally give money and procuration to patrons for presentation;—that they would pay extravagant fees to bishops and their officials for induction, &c.;—that they would purchase high sacraments for themselves and their patrons;—that they would sue their parishioners for tithes in bishops' courts, &c. &c.;—and

Fourthly,—That the greatest inconveniences would be sustained by the parishioners of Manchester, from the dread that the unworthiness of the minister would affect the validity of the sacraments, and that "if any one heard the mass of a priest living in deadly sin, knowing him to be such," he would himself "sinne dedely."

Such was the state of church discipline in Manchester, which led to the collegiating of its parish church. It is very evident that since the era of the Reformation, when many of these abuses of patronage met with a remedy, no such a deteriorated regimen, even in the most lax times of Protestantism, has ever occurred. We find from the Manchester charter, that Thomas, Lord la Warre, and the bishop of Durham contemplated these evils with deep regret [*cordis oculis*]. No doubt the lord of Manchester, then in holy orders, felt all

the responsibility so forcibly expressed by Wycliffe, that "lords have their high states in the church and lordships for to purvey true curates to the people, and to meyntene them in God's law and punish them, if they failen in their ghostly cure, and that by this they holden their lordships of God;"—but that "if they maken evil curates and holden them in their worldly office, and letten [forbid] them to lead God's people the rightful way to heaven, but helpen them and constreynen them to lead the people to hellward, by withdrawing of God's word, and by evil ensample geving, they ben weiwad traytors to God and his people, and vicars of Sathanas."

CHAPTER VIII.

HENRY THE FIFTH IS SUPPLICATED FOR A LICENSE TO COLLEGIATE THE PARISH CHURCH OF MANCHESTER.

The tongue of slander has not been wanting to impugn the generous motives of the founder. Although Thomas la Warre was of great age, it was alleged that the design which he entertained of founding and endowing a college was a condition upon which the pope had acceded to his request, that his restrictions as a priest might be removed, and that he might be allowed to take unto himself a wife.

But this idle story carries with it its own refutation. It has been shewn, that by a trust deed made many years ago, Thomas la Warre had settled his estates upon the heir male of his half-sister, who had married Baron West. And, in the next place, before a college could be founded and endowed, in opposition to the law of mortmain, or before any appropriation could be made, the license of the king would be far more requisite than that of the pope.

Previous, however, to the petition being forwarded to the sovereign for permission to erect the parish church of Manchester into a collegiate church, it was deemed necessary that a conference should be held with William Heiworth, the liberal churchman, who, a year previously, had been collated bishop of Lichfield and Coventry. The supplicants were Thomas, Lord la Warre, and, in conjunction with him,

1. Cardinal Langley, the bishop of Durham;
2. John Henege;
3. Nicholas Motte, parson of the church of Swynesheued;
4. Richard Lumbard, late parson of the church of Holtham;—and

5. Richard Ffryth, the nominal lord of the manor of Manchester with its appurtenances and advowson of the church of Manchester.

These five personages were feoffees under the deed by which Thomas la Warre had vested his estates, in trust for himself during his life, and, after his death, in trust for his half-sister, Joanna, and her issue.—[See page 125.] Three other trustees had been originally nominated, but they were at this time defunct: these were William Auncell, William Thirnyng, knight, and John Overton. There also appears to have been a William Rouceby, vicar of the church of Sleaford, added subsequently to the list of trustees. But, by resignation probably, he is said to have given up all the claim and right which he had held in the manor of Manchester and its advowson.

In the previous chapter of this work, the result of the conference thus held by Thomas, Lord la Warre, and the bishop of Durham and others, with the bishop of Lichfield, has been fully explained. It has been shewn that the motives which induced Thomas la Warre to collegiate the parish church of Manchester were two-fold:—The first was the consideration, that the parish church of Manchester had greatly increased in size and population; while the second was the wish to obviate the great evil inflicted upon the discipline of the church, and the cure of souls, by the abuses of patronage. "These and other things," as the preamble of the foundation charter eventually granted goes on to state, "conjoined with the daily and continued disadvantages of the same, the said reverend father Thomas, bishop of Durham, and the others nominated with him, and the afore-said Thomas la Warre, recalling to memory and contemplating with lateward eyes [*cordis oculis*], and desiring, as they asserted, to provide as much as possible with God's aid concerning opportune remedies against the negligencies, defects and disadvantages of this sort, that they should not henceforward happen, and that the premises might be reformed for the better,—besought" from the king a license of foundation by which they might erect the parish church of Manchester into a collegiate church.—[From the preamble to the Charter of Foundation.]

Letters patent were promptly obtained, probably through the medium of Cardinal Langley, the bishop of Durham, who was then chancellor to Henry the Fifth. The tenor of the license of foundation complying with the requisition was as follows:—

First,—It commenced by stating the names of

the surviving parties associated with the bishop of Durham in the deed of Thomas, Lord la Warre, upon the occasion of his levying a fine on the family estates of La Warre;—Richard Ffrith being the nominal, or pro tempore lord of the manor of Manchester.

Secondly,—It stated, that, in consideration of two hundred marks having been paid into the royal treasury, a license had been granted to the bishop of Durham and others, to erect the church of Manchester into a collegiate church, to consist of one master, or warden, and as many fellows, severally chaplains, and other ministers, as to the said bishop and his co-trustees, and to Thomas la Warre, might be deemed expedient.

Thirdly,—It provided for Divine rites to be celebrated daily for the health [or well-being] of the king, the bishop of Durham and Thomas la Warre, and for their souls when they should depart this life, also for the souls of the progenitors and ancestors of Thomas la Warre, and for the souls of all the faithful defunct.

Fourthly,—It made the warden and his fellows, and their successors, parsons perpetual [*personæ perpetuæ*], and capable of possessing benefices, lands, and tenements; it also directed that they should have a common seal, whereby they might plead and be impleaded in the name of the warden.

Fifthly,—It consented that five messuages and ten acres of land in Manchester, Gorton, and Heton, should be given and assigned to the warden and fellows, the same being parcels of the manor and advowson of Manchester, to be held, as was customary, from the county palatine, &c., by services thence due and accustomed, &c.

Sixthly,—It empowered the warden and fellows to receive the said messuages and land and the advowson from the bishop of Durham and others, and to appropriate the church, and to hold the same thus appropriated, together with the messuages and land, to their proper uses, &c.

But here let us pause.—It is evident that the king's license contemplated neither more nor less than a transfer of certain messuages, lands, and advowson of the manor of Manchester, to the absolute and exclusive holding of the warden and fellows of the proposed college, and that there would thus ensue an absolute appropriation, or annexing of the said messuages, lands, and advowson,

thus granted, to the proper and perpetual use of the spiritual persons composing the college of Manchester, that is, to be enjoyed by them for ever;—and that after this appropriation had been made, the warden and fellows, forming the capitular body, were to be regarded not only as patrons, but as perpetual parsons [*personæ perpetuæ*], whence they would have perpetual institution and induction. By these provisions, therefore, of foundation and appropriation, the successors of Thomas, Lord la Warre, in the manor of Manchester would cease to have any interest whatever in the advowson of the same.—[See Jacob in *v. Appropriations*.]

This circumstance it is important to keep in view, as the college of Manchester, during the very earliest period of its history, must have had the rights, which the royal license conferred upon it, invaded, even to the dissolution of the prescribed terms of appropriation. In this case the benefice, in a legal sense, must have returned to its proper nature. Nevertheless we still find, that the capitular body, if not legally, was at least ostensibly allowed to continue its functions to the time of the Reformation.

Seventhly,—The letters patent of the king provided, that the license of foundation should not be laid aside by any existing or future law of mortmain.—Regarding this clause some little explanation may be necessary:—

In the reign of Edward the First, the inconvenience of religious incorporations holding lands by perpetual succession, so as to prevent all chance of escheat, was explained by lawyers after the following manner:—In colleges and chapters there always remains the same body, although the members thereof successively die, even as in a flock, the sheep of which die off in succession, there is always the same flock. Nor does any one member of a college, or chapter, succeed to any other member thereof by right of succession, so as to allow the right to descend hereditarily from one to the other, because the right always belongs to the church, and the church always remains.—[Stevens and Merewether on *Municipal Corporations*, p. 575.] With the view, therefore, of preventing lands from being held by corporate bodies in such a manner that there should be no chance of escheat, as well as with the object of limiting the vast and independent possessions of the church, it was provided, in the year 1279, that no person religious, or otherwise, should buy or sell any lands whereby they might come into mortmain. But this statute having been imperfectly drawn up and evaded, another act of the 15th of Richard the Second, 1391, was passed, which, after reciting the 7th of Edward the First, that no religious body should hold lands in perpetuity without license from the crown, added, that the same statute should

extend to and be observed of all lands, advowsons, &c., given to the use of guilds or fraternities, among which the proposed college of Manchester, named the guild of the Blessed Mary of Manchester, came to be classed. Accordingly, by the statute of 1391 it was enacted, that all lands held in trust for all ecclesiastical corporations, should henceforth be taken and deemed to be in mortmain;—that all such lands, fees, and possessions should be forthwith amortized, or otherwise alienated, on pain of forfeiture;—and that the preceding and present provisions of the law of mortmain should extend to all secular corporations, to all mayors, bailiffs, and commons of cities and other places, having a perpetual commonalty, or offices perpetual.—Still, however, by certain acts, as by that of the 34th of Edward the First, the king, as the chief lord, might waive the escheat in every case where lands had been granted for the public good, as in the case of cities and boroughs; which privilege was still further confirmed by a newer provision to the encouragement of licenses being granted by the king, whenever any religious community, for laudable purposes, sought to hold land in perpetuity. Upon the present occasion, therefore, such a license was supplicated from the crown, on behalf of the proposed college intended to be founded, under the name of “the Guild of the Blessed Mary of Manchester.”

After these explanatory remarks, I shall proceed to give the royal license of foundation, which will be followed by a literal translation of the same. It has been very carefully collated with the original document preserved in the chapter house of Manchester, and in order to facilitate any further reference to the same whenever required, I have expressed, by marginal numbers, the line in which any printed passage whatever may be at once referred to, in correspondence with the manuscript lines of the original deed, counted from the top to the bottom.

A similar plan has been also adopted in the deeds which follow the present license of foundation.

LITERÆ PATENTES DOMINI HENRICI QUINTI, &c.

¹ Henricus dei gracia Rex Anglie Heres et Regens regni Ffrancie et Dominus Hibernie Omnibus ad quos presentes litere peruenerint salutem. Scias quod cum ² venerabilis in Christo pater Thomas Episcopus Dunelmensis Johannes Heneghe Nicholas Motte persona ecclesie de Swynesheuede Ricardus Lumbard nuper persona ecclesie de Holtham ³ et Ricardus Ffrith teneant manerium de Mamcestre cum pertinenciis unacum aduocacione

ecclesie de Mamcestre in Comitatu Lancastrie sibi et heredibus suis ex dono et feoffamento Thome⁴ la Warre clerici prout per quendam finem in Curia domini Henrici nuper Regis Anglie patris nostri Comitatus sui palatini Lancastrie inter prefatos Episcopum Johannem Nicholaum Ricardum et Ricardum et Willielmum Thirnyng militem⁵ Willielmum⁵ Auncell et Johannem Ouerton jam defunctos necnon Willielmum Rouceby Vicarium ecclesie de Sleaford qui totum jus suum et clameum que habuit vel habere potuit in eisdem manerio et⁶ aduocatione prefatis Episcopo Willielmo⁶ Thirnyng Johanni Nicholao Willielmo Auncell Ricardo Johanni et Ricardo remisit et relaxauit querentes et prefatum Thomam la Warre de manerio et aduocatione predictis deforciantem leuatum liquet manifeste

⁷ Nos de gracia⁷ nostra speciali et ex certa sciencia nostra pro ducentis marcis nobis in hanaperio nostro solutis concessimus et licenciam dedimus pro nobis et heredibus nostris quantum in nobis est⁸ prefatis Episcopo Johanni Nicholao⁸ Ricardo et Ricardo quod ipsi dictam ecclesiam de Mamcestre in ecclesiam Collegiatam erigere seu per eum ad quem pertinet erigi facere valeant et in et de eadem ecclesia quoddam collegium de uno magistro⁹ siue custode capellano et de tot sociis Capellanis et aliis ministris quot eisdem Episcopo Johanni Nicholao Ricardo et Ricardo ac prefato Thome la Warre videbitur expedire diuina in ecclesia predicta¹⁰ singulis diebus pro salubri statu nostro ac dictorum Episcopi et Thome la Warre dum vixerimus et animabus nostris cum ab hac luce migrauerimus ac animabus progenitorum nostrorum et antecessorum ipsius Thome la¹¹ Warre necnon animabus omnium fidelium defunctorum celebraturis imperpetuum facere fundare et stabilire possint juxta ordinationem dictorum Episcopi Johannis Nicholai Ricardi et Ricardi ac prefati¹² Thome la Warre¹² seu quinque quatuor trium vel duorum predictorum Episcopi Johannis Nicholai Ricardi Ricardi et Thome la Warre in hac parte faciendam imperpetuum.

Et quod idem magister siue Custos et successores sui magistri¹³ siue custodes collegii predicti magistri siue custodes Collegii beate Marie de Mauncestre nuncupentur imperpetuum. et quod idem magister siue custos et socii sui Capellani¹⁴ ejusdem Collegii et successores¹⁴ sui sint persone perpetue et capaces beneficiorum terrarum et tenementorum ac aliarum possessionum et emolumentorum quorumcunque et quod habeant sigillum commune et quod idem magister siue custos ejusdem collegii¹⁵ et successores sui possint implacitare et implacitari per nomen magistri siue custodis dicti Collegii.

Concessimus eciam et licenciam dedimus pro nobis et heredibus nostris quantum in nobis est¹⁶ prefatis Episcopo Johanni Nicholao Ricardo et Ricardo quod ipsi quinque messuagia et decem acras terre cum pertinenciis in Mamcestre Gorton et Heton que sunt parcella dicti manerii ac aduocationem predictam¹⁷ que de nobis ut de dicto¹⁷ Comitatu nostro palatino tenentur dare possint et assignare predictis magistro siue Custodi et sociis suis Capellanis ejusdem Collegii cum sit erectum factum fundatum¹⁸ et stabilitum fuerit. habenda¹⁸ et tenenda eisdem magistro siue Custodi et sociis suis Capellanis ejusdem Collegii et successoribus suis de nobis et heredibus nostris ut de dicto Comitatu nostro palatino¹⁹ per seruicia inde debita¹⁹ et consueta in subuencionem sustentacionis sue ac aliorum ministrorum dicti collegii imperpetuum.

Et eisdem magistro siue Custodi et sociis suis Capellanis ejusdem Collegii²⁰ quod ipsi *dicta* messuagia et terram cum pertinenciis et aduocationem predictam a prefatis Episcopo Johanne Nicholao Ricardo et Ricardo recipere et ecclesiam illam appropriare et eam sic appropriatam in proprios²¹ usus unacum messuagiis et terra predictis tenere²¹ possint eisdem magistro siue Custodi et sociis suis Capellanis ejusdem Collegii et successoribus suis in subuencionem sustentacionis sue ac ministrorum²² suorum predictorum imperpetuum ut predictum est tenore presencium similiter licenciam dedimus specialem.

Statuto de terris et tenementis ad manum mortuam non ponendis edito seu aliis statutis siue²³ ordinationibus in contrarium factis non obstantibus. Nolentes quod predicti Episcopus Johannes Nicholaus Ricardus et Ricardus vel heredes sui aut prefati magister siue Custos et socii sui capellani collegii²⁴ predicti aut successores sui ratione seu colore statutorum predictorum aut aliis causis quibuscunque premissis nos progenitores seu heredes nostros ut premittitur tangentibus vel concernentibus per nos²⁵ heredes seu successores²⁵ nostros justiciarios escaetores vice-comites aut alios ballivos seu ministros nostros heredum vel successorum nostrorum quoscunque inde occasionentur impetantur molestentur²⁶ in aliquo seu graventur.

In cujus rei testimonium has literas nostras fieri fecimus patentes.

Teste me ipso apud Westmonasterium vicesimo secundo die Maii anno regni nostri nono.

S per breve de privato sigillo
Thoralby

There are two words in italics which I am uncertain if I have omitted. They occur in the transcript, an imperfect one, given in Dugdale's Monasticon.



H. G. HIBBERT-WARE DEL.
 FRAGMENT OF THE SEAL, AND OBVERSE, OF HENRY THE FIFTH, ATTACHED TO THE ROYAL LICENSE OF FOUNDATION.

TRANSLATION OF THE LICENSE OF FOUNDATION
OF HENRY THE FIFTH.

Henry, by the grace of God, king of England, heir and regent of the kingdom of France, and lord of Ireland, to all to whom the present letters shall come, health: know ye, that whereas the venerable father in Christ, Thomas, bishop of Durham, John Henege, Nicholas Motte, parson of the church of Swynshevede, Richard Lombard, late parson of the church of Holtham, and Richard Efrith, hold the manor of Manchester, with its appurtenances, together with the advowson of the church of Manchester, in the county of Lancaster, to themselves and their heirs, by the gift and infestment of Thomas la Warre, clerk, as doth manifestly appear by a certain fine levied in the court of the Lord Henry, late king of England, our father, of his county palatine of Lancaster, between the aforesaid bishop, John, Nicholas, Richard and Richard and William Thirnyng, knight, William Auncell and John Overton now defunct, also William Rouseby, vicar of the church of Sleaford (who all his right and claim which he had or might have in the same manor and advowson to the aforesaid bishop, William Thirnyng, John, Nicholas, William Auncell, Richard, John, and Richard, remitted and released), querents, and the aforesaid Thomas la Warre, deforciant, concerning the manor and advowson aforesaid.

We, of our special grace, and from our certain knowledge, for two hundred marks paid into our treasury, have granted and given license for us and for our heirs, as much as in us lieth, to the aforesaid bishop, John, Nicholas, Richard and Richard, that they may be empowered to erect the said church of Manchester into a collegiate church, or, by him to whom it pertaineth, to cause to be erected, and [that] they may make, found, and establish in and belonging to the same church a certain college of one master, or warden (a chaplain), and of as many fellows (chaplains), and other ministers, as to the same bishop, John, Nicholas, Richard and Richard, and to the aforesaid Thomas la Warre shall seem expedient, to celebrate, for ever, Divine rites in the aforesaid church on each day for our healthful state, as well as for [that of] the said bishop and Thomas la Warre, while we shall live, and for our souls when we shall depart from this light, and for the souls of our progenitors, and of the ancestors of Thomas la Warre himself, also for the souls of all the faithful defunct, according to the ordinance of the said bishop, John, Nicholas, Richard and Richard, and of the aforesaid Thomas la Warre, or five, four, three, or two of the aforesaid bishop, John, Nicholas,

Richard, Richard and Thomas la Warre, in this behalf, to be made for ever:

And that the same master or warden and his successors, masters or wardens of the aforesaid college, may be declared for ever the masters or wardens of the College of the Blessed Mary of Manchester.

And that the same master, or warden, and his fellows, chaplains of the same college, and his successors, may be perpetual parsons and capable of benefices, lands, and tenements, and of other possessions and emoluments whatsoever, and that they may have a common seal, and that the same master, or warden, of the same college and his successors, may plead and be impleaded by the name of the master, or warden, of the said college:

We have granted also and given license for us and for our heirs, as much as in us lies, to the aforesaid bishop, John, Nicholas, Richard, Richard and Richard, that they may give and assign to the aforesaid master, or warden, and to his fellows, chaplains of the same college, when it shall have been erected, made, founded, and established, five messuages and ten acres of land, with their appurtenances, in Manchester, Gorton, and Heton, which are parcels of the said manor, and the advowson aforesaid, which are held from us as from the said our county palatine, to be possessed and held by the same master, or warden, and by his fellows, the chaplains of the same college, and by their successors, from us and from our heirs as from the said our county palatine, by services thence due and accustomed, in aid of their support and of the other ministers of the said college for ever:

And, by the tenor of these presents, we have in like manner given special license to the same master, or warden, and to his fellows, chaplains of the same college, that they the said messuages and land, with their appurtenances, and the advowson aforesaid, may receive from the aforesaid bishop, John, Nicholas, Richard and Richard, and appropriate the church, and the same, thus appropriated, may hold to their proper uses, together with the messuages and land aforesaid, to the same master, or warden, and to his fellows, chaplains of the same college, and to their successors, in aid of their support and of their ministers aforesaid for ever, as was before said.

The statute published concerning lands and tenements not to be placed at mortmain, or any other statutes or ordinances made to the contrary, notwithstanding. Being unwilling that the aforesaid bishop, John, Nicholas, Richard and Richard, or his heirs, or the aforesaid master, or warden, and his fellows, chaplains of the aforesaid college, or his successors, by reason or colour of

the aforesaid statutes, or by other causes whatsoever premised, affecting or concerning us, our progenitors or heirs, as is premised, should be thence charged, disturbed, molested in anywise, or aggrieved by us, our heirs or successors, justiciaries, escheators, sheriffs, or other bailiffs, or our servants whomsoever of our heirs or successors.

In testimony of which we have ordered these our letters patent to be made.

Witness myself, at Westminster, on the twenty-second day of May, in the ninth year of our reign.

Signed by a breve from the private seal.
Thorlby.

CHAPTER IX.

THE VARIOUS PARTIES WHOSE JOINT CONSENT TO THE APPROPRIATION WAS DEMANDED BY THE BISHOP OF THE DIOCESE.

The royal license which had been obtained was but the commencement of a long process, conceived to be essential by the bishop of Lichfield and Coventry.

Before an appropriation, or the annexing of a benefice to some spiritual body, could be made, it would be indispensable,

First,—That the concurrence of the patron should be obtained.—This was effected, in the instance of the parish of Manchester, by the joint consent of the bishop of Durham and others, who, as co-trustees, possessed the advowson of the church, and supported Thomas, Lord la Warre, the late patron, in the solemn duty of preventing the spiritual interests of the parishioners from being ever again neglected, or utterly forsaken by rectors, engaged in the secular occupations allotted to them by selfish lay lords. Patrons of this stamp held benefices in no farther regard, than as affording them the means (to use the current phrase of Wycliffe) “of having their offices done for nought.”

Secondly,—Before an appropriation could be made, the consent of the incumbent would be required.—This was accomplished by Thomas, Lord la Warre, having been himself the rector, as we shall find recorded in the charter of foundation;—

Thirdly,—It would be deemed necessary, that the consent of the dean of the deanery should be obtained.—Manchester, as I have shewn (see page 99), was one of the ten parishes comprised within the rural deanery of Manchester, for which reason any one of the incumbents of the said ten parishes might by the archdeacon be nominated to the office of dean. But, at this time, it conveniently happened, that Thomas la Warre held the united

functions of rector and dean of Manchester, presiding as dean over the ten parishes of Manchester, Eccles, Prestwich, Bury, Middleton, Rochdale, Ashton, Flixton, Radcliffe, and Bolton. We accordingly find that in the address from the parishioners of Manchester to the bishop of the diocese, supplicating him to collegiate their parish church, the seal of the dean was with propriety appended.

Fourthly,—The king's license would be required.—This had been obtained through the joint influence of the bishop of Durham, then the king's chancellor, and the bishop of Lichfield, who would naturally conceive that the only antidote against long abuses of patronage would be to vest the benefices thus abused under the controul of some spiritual corporation, such, for instance, as that which was proposed to be named “the Guild of the Blessed Mary of Manchester.”

Fifthly,—It is probable that the confirmation of the holy see to the appropriation would be judged necessary.—Of this, however, there may be some doubt, as will be shewn hereafter.

And, sixthly,—It would appear that before the bishop of the diocese felt inclined to give his consent to the collegiate of the parish church of Manchester, it was thought necessary that the sense of the parishioners themselves should be taken upon the propriety of the measure.—It was for them to say, by their giving or withholding their consent to the petition intended to be addressed to the bishop of Lichfield, whether or not the accusation of Thomas, Lord la Warre, against his predecessors who held the advowson of Manchester, was or was not founded in truth;—it was for them to say, whether from the traditional testimony of their forefathers, added to their own actual experience, the endowment meditated by early founders for the promotion of Divine worship and the cure of souls, had or had not been diverted from its original and sacred object, dating from Saxon times, in order to be lavished upon clerks employed in the royal treasury, or in the stewardship or other services of the lord's household, &c. &c.;—or whether, while the parishioners were thus deprived of the services of efficient rectors, they had or had not been served by remote stipendiary chaplains, who (as Wycliffe has explained them) were a migratory description of spiritual jobbers, who, in travelling from one destitute parish to another, “hired out their work.”

The parishioners were accordingly summoned to meet for the purpose of supporting a petition addressed to the bishop of the diocese, in approval of the motives for which the king's license had been obtained, that the parish church of Manchester might be erected into a collegiate church.

CHAPTER X.

CONSENT OF THE PARISHIONERS OF MANCHESTER
AND OF THE DEAN RURAL TO THE FOUNDATION.

We learn from the petition, ultimately agreed upon, that all and singular the parishioners of the church of Manchester, convened at the sound of the bell, were headed by the two churchwardens, Lawrence Hulme and Henry Bukleye, yeomen, and "by various influential knights, esquires, and gentlemen," all of whom, in the first place, made their obedience to the bishop of Lichfield "with the reverence and honour due to so great a father," and then resolved upon a petition, the tenor of which was as follows:—

The petition, in the first place, adopted the words of the king's license, in stating, that it was the intention to found a collegiated church, to consist of one warden (a chaplain) and of as many fellows (chaplains) as to the bishop of Durham and others (including Richard Ffryth, the nominal lord of the manor and advowson of Manchester), and to Thomas, Lord la Warre, might seem expedient;—

It also stated the provision made in celebration of Divine rites for the healthful state of the king, the lord bishop of Durham and Thomas, Lord la Warre, &c. &c., and for their souls when they should depart from this light;—

It next announced, that full consent had been given by the whole of the parishioners for the augmentation of the Divine worship of the church, in which they express their opinion, that the purpose of the bishop of Durham and others was "useful and expedient;"—

The petitioners, again, professed, that they approved of and consented to any process intended by the episcopal authority on behalf of the community or universality of the parishioners of the church of Manchester, and that they would give their full support to the same, as much as in them lay;—

Lastly, in order to render the declaration more solemn, the parishioners resolved that the seal of the dean of the deanery of Manchester should be used, together with the seals of many present, as indicative of the unanimity which prevailed in this personal and spiritual requisition.

This document was accordingly signed and sealed in the parish church of Manchester on the 14th of June, 1421.

¹ ¹ Reverendo in Christo patri et domino domino Willielmo dei gracia Coventrensi et Lichfeldensi Episcopo vestri humiles et deuoti Laurencius

Hulme et Henricus Bukleye ²yeonomi sive bonorum ecclesie parochialis de Mamcestre vestre diocesis custodes et gardiani ac Johannes Le Byron et Johannes de Radclyff milites ³Edmundus Trafford Johannes de Bothe Radulphus Longeforde Thurstang de Holand Jacobus Strangeweys Robertus de Hyde Robertus de ⁴Bothe Otho de Redwyche Johannes de Barlowe Radulphus de Prestwyche Petrus de Workeslee Jacobus Hulme et Johannes de Hilton ⁵armigeri necnon Willielmus de Birches Johannes Bameforde Laurencius de Barlowe Galfridus de Hilton et Willielmus ⁶de le Highfeld generosi predictae ecclesie parochialis de Mamcestre comparochiani ac ceteri omnes et singuli ejusdem ecclesie parochialis parochiani ad sonitum campane ⁷ibidem pulsate unanimiter congregati ac convocacione sive universitate parochianorum dictae ecclesie parochialis de Mamcestre facientes obedientiam cum ⁸reuerencia et honore debito tanto patri

Cum reuerendus in Christo pater et dominus dominus Thomas permissione Divina Dunolmensis Episcopus Johannes ⁹Henege et Richardus Motte ⁹persona ecclesie parochialis de Swynesheued Ricardus Lumbards nuper persona ecclesie de Holtham et Ricardus Ffrith dominus ¹⁰manerii de Mamcestre cum pertinenciis suis una cum advocacione ecclesie parochialis de Mamcestre predictae in comitatu Lancastrie vestre diocesis sibi et eorum ¹¹heredibus ex dono et feoffamento Thome la Warre clerici predicti manerii nuper Domini et proprietarii proponunt ut assuerunt dictam ecclesiam parochialem ¹²de Mamcestre in ecclesiam collegiatam erigi ac in et de eadem ecclesia quoddam collegium de uno magistro sive custode cappellano et de ¹³tot sociis Cappellanis et aliis ministris Deo in eodem Collegio servituris quot eisdem domino Episcopo Johanni Richardo Ricardo et Ricardo ac prefato Thome la Warre ¹⁴videbitur expedire diuina in dicta ecclesia singulis diebus pro salubri statu Excellentissimi in Christo Principis et domini nostri Domini Henrici ¹⁵Regis Anglie heredis que et Regentis Ffrancie et Domini Hibernie ac dictorum domini Episcopi et Thome la Warre dum vixerint Animabusque eorundem ¹⁶ac omnium ¹⁶fideliū defunctorum imperpetuum celebraturis per vos et vestra auctoritate ordinaria et diocesana ordinari fieri fundari debite et stabiliri facere ¹⁷et ¹⁷procurare proponant pariter et affectant omnium et singulorum quorum in hac parte interest conspectu assensu consilio et auctoritate intus herentibus permanentibus ¹⁸et obtentis ¹⁸

Nos vestre diocesis Laurencius Hulme et Henricus Buckley yeonomi sive bonorum dictae ecclesie parochialis de Mamcestre custodes et gardiani ¹⁹predicti ceterique milites Armigeri et generosi ¹⁹

communis ecclesie comparochiani antedicti ac alii ejusdem ecclesie parochiani omnes et singuli at-
²⁰tendentes per ²⁰premissa cultum divinum adaugeri ecclesie dicteque propositum prefatorum domini Dunolmensis Episcopi et ceterorum cum eo superius notatorum tamque utile et expediens ²¹dicte parochie nostre merito amplectentes Ereccioni ecclesie dicte ac processui cuicunque per vos et vestra auctoritate ordinaria in hac parte faciendis
²²tenore presencium ²²quantum in nobis est ac nos et communitatem sive Universitatem parochianorum dicte ecclesie de Mamcestre premissa tangunt
²³seu tangere potuerint quoquomodo ²³perpetuo in futurum nostros conspectum et assensum damus et impertimus. Atque realiter ex certa sciencia nostra consentimus per presentes.

²⁴In cujus rei testimonium ²⁴sigillum Decani Decanatus de Mamcestre una cum nostris sigillis presentibus apponi pensavimus

Et Nos Decanus et Decanatus sigillum officii nostri ²⁵ad personalem et spiritualement requisicionem dictorum confatuencium et consencientium una cum sigillis eorundem presentibus apposuvimus

Datum in ecclesia parochiali de Mamcestre predicta xiiii die Mensis Junii Anno domini millesimo CCCXXI^o

TRANSLATION.

To the reverend father and lord in Christ, the Lord William, by the grace of God, bishop of Coventry and Lichfield, your humble and devoted Lawrence Hulme and Henry Bukleye, yeomen, or keepers and wardens of the goods of the parish church of Manchester of your diocese, and John le Byron and John de Radclyff, kts., Edmund Trafford, John de Bothe, Ralph Longeforde, Thurstang de Holand, James Strangeweys, Robert de Hyde, Robert de Bothe, Otho de Redwyche, John de Barlow, Ralph de Prestwyche, Peter de Workeslee, James Hulme, and John de Hilton, esquires, also William de Birches, John Bameford, Lawrence de Barlowe, Geoffrey de Hilton, and William de le Highfeld, gentlemen, fellow-parishioners of the aforesaid parish church of Manchester, and others, all and singular parishioners of the same parish church, at the sound of the bell there struck being unanimously congregated, and in a convocation or universality of the parishioners of the said parochial church of Manchester, making obeisance with the reverence and honour due to so great a father,

Whereas the reverend father and lord in Christ, the Lord Thomas, by Divine permission, bishop of Durham, John Henege, and Richard Motte, parson of the parish church of Swynesheved, Richard

Lumbards, late parson of the church of Holtham, and Richard Ffrith, lord of the manor of Manchester, with its appurtenances, together with the advowson of the parish church of Manchester aforesaid, in the county of Lancaster, of your diocese, propose, as they asserted, for themselves and their heirs, by the gift and infestment of Thomas la Warre, clerk, late lord and proprietor of the aforesaid manor, that the said parish church of Manchester should be erected into a collegiate church, and, in and belonging to the same church, a certain college, of one master or warden, a chaplain, and of as many fellows, chaplains, and other ministers, to serve God in the same college, as to the said bishop, John, Richard, Richard and Richard, and to the aforesaid Thomas la Warre shall seem expedient, to celebrate for ever Divine rites in the said church on each day for the healthful state of the most excellent prince and our lord in Christ, the Lord Henry, king of England, and heir and regent of France, and lord of Ireland, also of the said lord the bishop, and of Thomas la Warre while they shall live, and for the souls of the same, and of all the faithful defunct,—Through you, and, by your ordinary and diocesan authority, they propose, and greatly wish as well to accomplish, and to procure to be ordained, made, duly founded, and established, with the inherent regard, assent, counsel and authority, permanent and obtained of all and singular in this behalf, whom it may concern :

We, of your diocese, Laurence Hulme and Henry Buckley, yeomen, or keepers, and wardens aforesaid, of the goods of the said parish church of Manchester, and others, knights, esquires, and gentlemen, fellow-parishioners aforesaid of the common church, and other parishioners of the same church all and singular, expecting, by the premises, the Divine worship of the said church to be increased, and, accordingly, embracing the proposal of the aforesaid lord the bishop of Durham and of the others with him above named, as useful and expedient to the said our parish by the erection of the said church, do also give and bestow our approbation, and assent, as much as in us lieth, to every process whatsoever, by you, and by your ordinary authority in this behalf to be made, by the tenor of these presents, and in whatever mode for ever hereafter the premises affect, or shall be enabled to affect, the community, or generality of the parishioners of the said parish church of Manchester; and, in reality, from our certain knowledge, we consent by these presents.

In testimony of which we have considered that the seal of the dean of the deanery of Manches-

ter, together with our present seals, should be attached.

And we, the dean and the deanery, have affixed the seal of our office to the personal and special requisition of the said persons mutually declaring

and consenting, together with the present seals of the same.

Dated in the parochial church of Manchester aforesaid, on the 14th day of the month of June, in the year of the Lord 1421.



The first seal given is that of the Deanery.—Six other seals are destroyed.

CHAPTER XI.

THE CHARTER OF FOUNDATION.

With the foregoing free consent of the parishioners, and even of the rural deanery of Manchester, no little facility was given to the alienation of the advowson from a long succession of Norman barons, by whom it had been grossly abused.—But the canonical process demanded still other forms. It was necessary that the chief functionaries of the bishopric of Lichfield and Coventry, within which the church of Manchester was situated, should adjudicate in the question of a charter of foundation.

The heads of the diocese of Lichfield and Coventry, to whom it was demanded that the bishop of Durham and others, along with Thomas, Lord la Warre, should represent the state of the parochial church of Manchester and the necessity of erecting it into a college, were,

First,—The bishop of Lichfield and Coventry;

Secondly,—The prior and chapter of the church of Coventry;

Thirdly,—The dean and chapter of the church of Lichfield;—and

Fourthly,—The archdeacon of Chester.

Of William de Heiworth, consecrated bishop of Lichfield and Coventry the year previously, November 28th, 1420, honourable mention has already been made.

Richard Crossby was the prior of Coventry, who had been elected on the 10th of May, 1399.

The dean of Lichfield was Thomas de Stretton, whose date of preferment was May 15th, 1390. He had been confirmed by Bishop Scroope.

Henry de Halsall was the archdeacon of Chester, within whose archdeaconry the church of Manchester was situated. He had been collated May 15th, 1413, upon the resignation of William de Newhagh.

Before the collegiating of the rectorial church of Manchester could be accomplished, it would be necessary that the joint concurrence of these functionaries should be obtained. Even in the choice of a bishop, as was explained in the election of a former dignitary, Walter de Langton, the joint consent of the monks of Coventry and of the decanal canons of Lichfield, assembled together in the chapter house of Lichfield, was considered indispensable. And as for the archdeacon of Chester,—it was evident that nothing could be done in the process of collegiating a parish church within his archdeaconry, until his distinct interests had been fully weighed.

These diocesan functionaries were implored, with no little earnestness, to support the prayer of the

bishop of Durham and others, at the instigation of Thomas, Lord la Warre, who, in offering to increase the endowment of the parochial church of Manchester to two hundred and fifty marks and more annually, professed that the object was an augmentation of the church to the praise and honour of God, and a more successful discipline directed to the cure of souls, whereby an additional number of clerks might be supported, never to serve God in the same manner as had hitherto been done.

To this petition the bishop of Lichfield made a favourable reply. He summoned all who might be more or less concerned in the collegiating of the parish church of Manchester to meet him and his colleagues in chapter, that they might thereby satisfy their conscience that the allegations were fortified by truth. Which solemn and judicial inquisition was held in the chapel of the bishop's manor house of Heywood, on the 3rd of August, 1421.

The result of this convocation was a CHARTER OF FOUNDATION, of which a copy is intended to be comprised within the present chapter.

The general contents of the charter may be described as follows:—

In the first place,—It recapitulated, in a sort of historical narrative, the motives for collegiating the parish church of Manchester.—These have been explained and commented upon in the preceding chapters of this work.

Secondly,—In bringing down the history to the date of the diocesan convention, the charter further informs us, that the first business of the prior and chapter of the church of Coventry, of the dean and chapter of the church of Lichfield, and of the archdeacon of Chester, was to nominate procurators, or proctors, on their several behalfs.

Thirdly,—We are informed, that the collegiating of the parish church of Manchester, and the motives for the same, gave considerable dissatisfaction to certain of the party convoked to attend, whereby they incurred the penalty of contumacy.

Fourthly,—This introduction is followed by the actual erection and foundation of the College and Collegiate Church of Manchester.

Fifthly,—We are presented with a declaration of the public notary regarding the correctness of the proceedings, and the interlineations occurring in the course of drawing up the charter.—And,

Sixthly,—We learn that the charter of foundation was confirmed by the prior and chapter of the church of Coventry, and by the archdeacon of Chester.

Such is the distribution of subjects contained within the charter of foundation. As this docu-

ment cannot be better understood than by following the order which has been explained, it will be divided into six consecutive portions, accompanied with a translation and remarks.

§ 1. THE FIRST PORTION OF THE CHARTER OF FOUNDATION.

In the first portion, or the preamble of the charter, the motives for collegiate the parish church of Manchester are explained.

We learn from this preamble what was the general object of the convocation, and in what manner the bishop of Durham and other trustees associated with him stood to the manor and advowson of Manchester by the deed of infestment made by Thomas, Lord la Warre.—Next follows the remarkable exposition [see page 137] of the motives which induced this founder to petition for the collegiate of the parish church of Manchester. These have been referred to the extent and population of the parish, and to the abuses of patronage.—In the course of this explanation, the royal license of foundation [already given, see page 145] is rehearsed.—We are, then, made acquainted with the anxious manner in which the bishop of the diocese was supplicated to call together, by a legitimate process, the heads of the diocese, and to proceed to the business of a foundation.

The Charter of Foundation.

Preamble.

S. Universis sancte matris ecclesie filiis ad quos presentes litere peruenerint Willielmus permissione diuina Couentrensis et Lichfeldensis Episcopus salutem in Domino et perpetuam memoriam reigeste Noverit uniuersitas uestra quod nos in negocio ereccionis ecclesie parochialis de Mamcestre nostre diocesis in ecclesiam ² collegiatam et fundacionis collegii in et de eadem concurrentibus et obseruatis omnibus et singulis que in hac parte de jure seu consuetudine requirebant et requirunt vocatis omnibus et singulis in hac parte de jure vocandis ac seruato per nos in omnibus in hac parte legitimo processu ad hujusmodi ³ ecclesie ereccionem in ecclesiam collegiatam ac fundacionem hujusmodi collegii et ad cetera inferius descripta auctoritate nostra ordinaria procedimus in hunc modum.

In Dei nomine amen. Cum nuper reuerendus in Christo pater Dominus Thomas permissione diuina Dunelmensis Episcopus Johannes Henege ⁴ Nicholaus Motte ⁴ persona ecclesie de Swynsheued Ricardus Lumbard nuper persona ecclesie de Holtham et Ricardus Ffryth dominus manerii

de Mamcestre cum pertinenciis suis in comitatu Lancastrie nostre diocesis una cum aduocatione ecclesie parochialis de Mamcestre predictae. Ac venerabilis vir dilectus in Christo filius Thomas la Warre clericus nunc rector ⁵ ecclesie de Mamcestre predictae ac nuper dominus manerii et aduocationis predictorum ex cujus dono et feoffamento dictus dominus Thomas Episcopus et ceteri cum eo superius nominati dictum habuerunt et habent manerium una cum aduocatione predicta sancto et felici ducti proposito nobis nuper exponendo suggererint Ut cum ipsi ⁶ pie considerantes quod predicta ecclesia de Mamcestre largam et amplam habens parochiam atque multum populosam temporibus retrocitatis per rectores consueuerit regi et gubernari quorum aliqui nunquam aliqui perraro personaliter residere curarunt in eadem set eidem ecclesie cui magna et grandis imminebat et imminet cura ⁷ animarum per capellanos stipendarios re motiuos adminiculum deseruii fecerunt. fructus et obuenciones hujusmodi ecclesie in usus proprios pro suo libito commouentes ex quorum absentia diuturna sequebantur cure animarum neglectus diminucio cultus diuini hospitalitatis et sustentacionis pauperum defraudacio et gran⁸ de periculum ⁸ animarum Hec et alia predicta ac parochinorum eiusdem diuturna et continuata incommoda dictus reuerendus pater Thomas Dunelmensis Episcopus et ceteri cum eo superius nominati ac prefatus Thomas la Warre ad memoriam reducentes et cordis oculis contemplantes cupientesque ut asseruerint ⁹ coram nobis contra negligencias defectus et incommoda hujusmodi ne inantea contingant in quantum cum Deo poterunt de oportunis remediis providere et premissam in melius reformari. A serenissimo in Christo principe et domino nostro domino Henrico Dei gracia rege Anglie Herede et regente regni Ffrancie et ¹⁰ domino Hibernie ¹⁰ illustri. Ut ipsi dictam ecclesiam parochialem de Mamcestr in ecclesiam collegiatam erigere seu per eum ad quem pertinet erigi facere possent et in ac de eadem quoddam collegium de uno magistro sive custode capellano et de tot sociis capellanis et aliis ministris quot predictis domino Thome Episcopo ¹¹ et ceteris cum eo superius nominatis ac prefato ¹¹ Thome la Warre videretur expedire diuina singulis diebus in predicta ecclesia pro salubri statu dicti domini nostri regis ac dictorum domini Thome Episcopi et Thome la Warre dum vixerint et pro ipsorum animabus cum ab hac luce migrauerint ac progenitorum suorum et ante ¹² cessorum ¹² dicti Thome la Warre necnon animabus omnium fidelium defunctorum celebraturis. licenciam impetrauerint et obtinuerint quam nobis sub literis patentibus ejusdem domini nostri regis exhibuerunt. quarum tenor sequitur et est talis.

Henricus dei gracia rex Anglie heres et regens
¹³ regni Ffrancie et dominus ¹³ Hibernie omnibus ad
 quos * * * *

[Here follows a rehearsal at length of the royal charter given in pages 145 and 146 of this work.]

²⁹ Summe desiderantes ut dixerunt et cupientes
 premissa ad dei laudem et honorem cultusque di-
 vini in ipsa ecclesia augmentationem ac cure anima-
 rum parochianorum dicte ecclesie felicius regimen
 et ipsorum parochianorum status subuencionem ad
³⁰ finem produci perspectum et ³⁰ optatum nobis
 cum non modica instancia supplicarunt quatenus
 consideratis premissis necnon quod dicte ecclesie
 fructus redditus prouentus et obuenciones ad sum-
 mam ducentarum quingaginta marcarum et amplius
 annuatim comitantibus omnibus se extendant ex
 quibus ampliatio personarum nunquam Deo ibidem
³¹ deservi³¹ turarum quam hactenus in eadem exstite-
 rant sufficienter potest et in futurum poterit sus-
 tentari.

Vocatis omnibus quorum interest in hac parte
 vocandis ac seruatis de jure seruandis nos etiam
 nostram conscienciam in hac parte super premissis
 debite informare dignemur. Et si premissa
³² inueniremus ³² veritate fulciri ipsam ecclesiam pa-
 rochiale de Mamcestr in ecclesiam collegiatam
 erigere et alia facere dignemur que ad nostrum
 in hac parte spectant officium pastorale.

Nos itaque considerantes hujusmodi supplicacio-
 nem piam et deuotam ac consonam rationi. Di-
³³ lectos filios priorem et ³³ capitulum ecclesie nostre
 Couentrensium ac decanum et capitulum ecclesie
 nostre Lichfeldensis ac Archidiaconum nostrum
 Cestriensem in dicta ecclesia nostra Lichfeldensi
 infra cujus Archidiaconatum dicta parochialis ec-
 clesia de Mamcestr consistit nominaturos et in
 specie et alios omnes et singulos sua interesse in
³⁴ hac parte putantes ³⁴ in genere in hujusmodi erec-
 tionis et fundacionis negocio coram nobis proces-
 suros et procedi visuros facturosque et recepturos
 quod in hac parte iusticiariis suadebit et canonicis
 conuenerit institutis mandamus et fecimus ad
 certos diem et locum competentes coram nobis
 legitime evocari.

³⁵ Quibus die ³⁵ et loco coram nobis in huiusmodi
 ereccionis et fundacionis negocio pro tribunali
 sedentibus pars dictorum domini Thome Dunel-
 mensis Episcopi et ceterorum cum eo superius
 nominatorum ac prefati Thome la Warre quoddam
 certificariorum super execucione mandati nostri in
³⁶ hac parte exhibuit per quod ³⁶ apparuit predictos
 dilectos filios priorem et capitulum ac decanum et
 capitulum dictarum ecclesiarum Couentrensiarum et
 Lichfeldensium ac Archidiaconum nostrum Ces-
 triensem nominaturos et in specie et alios omnes
 quorum interest vocandos in genere fuisse et esse

ad illos diem et locum peremptorie citatos et legi-
 time premonitos quibus quidem ³⁷ sic citatis publice ³⁷
 de mandato nostro preconizatis ac sufficienter et
 legitime comparentibus coram nobis prefatis di-
 lectis filiis priore et capitulo Couentrensi necnon
 decano et capitulo Lichfeldensium ecclesiarum
 nostrarum predictarum ac magistro Henrico Hal-
 sall Archidiacono nostro Cestriensi per suos
 procuratores quorum procuratoriorum ³⁸ tenores. ³⁸
 sequuntur et sunt tales.

Pateat universis * * * *

TRANSLATION.

To all the sons of the holy mother church to whom
 the present letters shall have been made known,
 William, by Divine permission bishop of Coventry
 and Lichfield, health in the Lord and a perpetual
 remembrance of our undertaking. Be it known to
 you all that in the business of an erection of the
 parish church of Manchester of our diocese into a
 collegiated church, and of the foundation of a
 college in and belonging to the same, all and
 singular things agreeing and being observed which
 in this party were and are requisite from right or
 custom, all and singular persons who from right
 were to be summoned in this party having been
 summoned, and a lawful process having been ob-
 served by us in all things in this behalf towards the
 erection of such a church into a collegiated church,
 as well as towards the foundation of such a college,
 and to other things below described, We, by our
 ordinary authority proceed after this manner:

In the name of God, Amen! Whereas of late
 the reverend father in Christ the Lord Thomas,
 by Divine permission, bishop of Durham, John
 Henege, Nicholas Motte, parson of the church of
 Swynesheved, Richard Lumbard, late parson of the
 church of Holtham and Richard Ffryth, lord of
 the manor of Manchester with its appurtenances,
 in the county of Lancaster, of our diocese, together
 with the advowson of the parish church of Man-
 chester aforesaid, and a venerable man, a beloved
 son in Christ, Thomas la Warre, clerk, now rector
 of the church of Manchester aforesaid, and lately
 lord of the manor and of the advowson aforesaid,
 by whose gift and infestment the said Lord Thomas
 the Bishop and the others above named with him
 have possessed and do possess the said manor,
 together with the advowson aforesaid, being in-
 duced by a holy and fruitful purpose, not long ago
 requiring to be expounded to us, suggested,

That when they, piously considering, that the
 before-said church of Manchester having a large
 and ample parish, also very populous, had in by-
 gone times been accustomed to be ruled and
 governed by rectors, of whom some never, others

very rarely heeded to personally reside in the same, but to the same church, over which a weighty and great care of souls did and doth impend, they caused the adminicle [i. e. the aid which a beneficed clergyman, received from clerks of an inferior degree] to be served by remote, stipendiary chaplains, removing the profits and oblations of such church to their private uses according to their own pleasure, from the daily absence of whom followed a neglect of the cure of souls, a diminution of Divine worship, a defrauding of hospitality and of the support of the poor, and a great danger of souls,—These and other things aforesaid, as well as the daily and continued disadvantages of the parishioners of the same, the said reverend father Thomas, bishop of Durham, and the others with him above named, and the aforesaid Thomas la Warre, bringing back to memory, and, with lateward eyes, wistful and desirous, as they would assert before us, against such negligencies, defects and disadvantages, lest hereafter they should happen, inasmuch as they were enabled with God to provide concerning opportune remedies, and that the premises be reformed for the better,

Had besought and obtained a license from the most serene prince and lord in Christ, our illustrious Lord Henry, by the grace of God, King of England, heir and regent of the kingdom of France, and lord of Ireland,—That they, the said parish church of Manchester might erect, or by him to whom it belongs cause to be erected into a collegiate church, and in and belonging to the same a certain college of one master, or warden, a chaplain, and of as many fellows, chaplains, and other ministers, as to the aforesaid Lord Thomas, the Bishop, and to the others, above named, with him, and to the beforementioned Thomas la Warre might seem expedient, to celebrate Divine rites on each day in the aforesaid church for the healthful state of the said lord our king, and of the said Lord Thomas the Bishop and of Thomas la Warre while they shall live, and for the souls of them when they shall have migrated from this light, and of their progenitors and of the ancestors of the said Thomas la Warre, also for the souls of all the faithful defunct, Which [license] they exhibited to us under letters patent of the same lord our king, of which the tenor follows, and is in such sort:

Henry, by the grace of God, King of England,
* * * * *

[Here follows a rehearsal of the royal license of foundation, the translation of which has been already given in pages 147 and 148.]

Greatly desiderating, as they said, and craving that the premises to the praise and honour of God, and the augmentation of Divine worship in the

church itself, and a more propitious regimen of the cure of souls of the parishioners of the said church, and a relief of the state of the parishioners themselves, be promoted to the end plainly perceived and wished for, they, with no moderate earnestness, also supplicated us, so far as the premises being considered, that the profits, rents, issues and oblations of the said church may be extended to the sum of two hundred and fifty marks and more, all things accompanying, from which an increase of persons never to serve God in this place, as had hitherto existed in the same, may sufficiently, and, for the future, shall be sustained:

There having been summoned all such as in this party it behoved to be summoned, as well as served all those who from right were to be served, we also in this party would vouchsafe to duly satisfy our conscience touching the premises, and, if we find the premises to be fortified by truth, to erect the parochial church of Manchester into a collegiate church, and we would vouchsafe to do other things which in this behalf regard our pastoral duty:

We, therefore, considering a supplication of this kind to be pious and devout and agreeable to reason, command and have ordered to be lawfully summoned before us at a certain befitting day and place, to name also, in particular, our beloved sons the prior and chapter of our church of Coventry and the dean and chapter of our church of Lichfield, and our archdeacon of Chester in the said, our church of Lichfield, within whose archdeaconry the said parochial church of Manchester is situate, and, in general, all and singular others thinking their [rights] to be interested in this party, in the business of such erection and foundation, before us to proceed, and to see that there be proceeded with, to execute also, and to admit what in this behalf will convince the justiciaries, and be agreeable to canonic institutes,

On which day and place, a party of the said Lord Thomas, the Bishop of Durham, and of the others above named with him, and of the aforesaid Thomas la Warre, exhibited before us, while tribunally sitting in the business of such erection and foundation, a certain certificate upon the execution of our mandate in this party, by which it appeared, to name also especially, that the beforesaid beloved sons, the prior and chapter, and dean and chapter of the said churches of Coventry and Lichfield, and our archdeacon of Chester, and that all others generally, whom it concerned, requiring to be summoned, had been and were peremptorily cited to the day and place, and lawfully forewarned, who, indeed, thus publicly cited, having been proclaimed by our mandate, and sufficiently and lawfully appearing before us, the before-

mentioned beloved sons the prior and chapter of Coventry, also the dean and chapter of our before-said churches of Lichfield, and Master Henry Halsall our archdeacon of Chester, by their procurators, of whose procuracies the tenors follow and are suchwise,

Be it known to all men * * * * *
[To be continued.]

§ 2. THE SECOND PORTION OF THE CHARTER OF FOUNDATION.

From the concluding portion of the preamble it would appear, that subsequent to a rehearsal of all the motives and circumstances under which a legitimate process was brought forward for the collegiating the parish church of Manchester, the first business before the convention appertained to the appointment of procurators, or proctors, by each capitular body or functionary, for the purpose of co-operating with the bishop's commissary or commissaries. For, in a tedious process of this kind, it is easy to suppose that the dean and chapter of Lichfield, or the prior and chapter of the cathedral church of Coventry, or the archdeacon of Chester, could not without professional aid afford their time and labour to see the process of erection and appropriation carried into effect.—We are thus introduced to the second portion of the charter, which conveys the information, first, that a commissary, or commissaries, was, or were appointed.

The bishop of Lichfield, in proposing to make himself responsible for the annexation of the benefice of Manchester to the proper and perpetual use of a capitular body, intended to assign the carrying out of this process in all its details to one or more commissaries. These were functionaries who exercised spiritual jurisdiction in such parts of a diocese as were so far from the episcopal city that the chancellor could not call the people to the bishop's principal consistory court without their too great inconvenience. With the name of the commissary, or commissaries, appointed by the bishop of Lichfield, for the purpose of seeing the legitimate process of erection and appropriation carried into effect, we are not made acquainted.

This second portion of the charter puts us in possession of the warrants named procuracies, or proxies, given by the prior and chapter of the church of Coventry, the dean and chapter of the church of Lichfield, and the archdeacon of Chester, to their respective procurators. The procurators, or proctors, thus arrayed with authority, were officers established to represent the parties who might empower them to see completed any given object

connected with ecclesiastical business, to explain the rights of their principals for whom they were allowed to appear in all chapters, or in any ecclesiastical court whatever, or in the convocation house held during the time of parliament. Their various employers were, in return, required to hold as ratified and firm whatever the said procurators should determine, under penalty of their goods and substance; and were also made responsible for any expense incurred by their proctors while representing the interests of which they were put in charge.

The Procurators appointed by the Prior and Chapter of the Cathedral Church of Coventry.

Their appointment is contained in a deed of procuracy bearing date the 3rd of August, 1421, in which the prior and chapter of the cathedral church of Coventry nominated Thomas Ffereby, Thomas Morton, and John Hayton, monks of their priory; also Masters William Schyppeley, John Huntynghdon, and Gregory Newport, clerks, to be their lawful procurators and special messengers, and authorised to agree in all things with the commissary or commissaries appointed by the bishop.

Pateat universis per presentes quod nos prior et capitulum ecclesie Cathedralis Couentrensis Capitulariter congregati ad comparandos nomine nostro et pro nobis ac capitulo nostro coram reuerendo in Christo patre et domino domino Willielmo Dei gracia Couentrensi et Lichfeldensi Episcopo qui ut dicitur ecclesiam ³⁹parochialem de Mamcestr Couentrensis et Lichfeldensis Diocesis proponit erigere in collegiatam dicti vice Reuerendi patris commissario aut commissariis quibuscunque in negotio ereccionis ecclesie hujusmodi ac cum dicto Reuerendo patre in hac parte tractando et omnibus hiis que in huiusmodi ereccionis negotio ordinari contigerint con⁴⁰senciendis. Ceteraque omnia et singula in huiusmodi ereccionis negotio fieri necessaria et requisita facienda exercenda et expedienda Dilectos nobis in Christo fratrem Thomam Ffereby Thomam Morton et Johannem Hayton monachos nostri prioratus magistros Willielmum Schyppeley Johannem Huntynghdon et ⁴¹Gregorium Newport clericos communitem et diuissim et quemlibet eorum in solidum. Ita quod non sit melior condicio occupantis set quod unus eorum inceperit quilibet ipsorum voluntarie prosequi mediare valeat et finire nostros veros et legitimos ordinamus facimus et constituimus ad premissa omnia et singula procuratores et ⁴²nuncios

speciales promittentes nos Ratum gratum atque firmum perpetuo habituros totum et quicquid dicti procuratores nostri seu eorum aliquis fecerint seu fecerit in premissis vel aliquo premissorum sub ypotheca et obligacione omnium bonorum nostro- rum iudicioque sisti et iudicatum solui promittimus

⁴³ et cauciones exponimus ⁴³ per presentes.

In cuius rei testimonium sigillum nostrum commune presentibus duximus apponendum Datum in domo nostra Capitulari. tercio die mensis Augusti Anno domini millesimo quadringentesimo vicesimo primo.

TRANSLATION.

Be it known to all men by these presents, that we the prior and chapter of the cathedral church of Coventry in chapter assembled, do ordain, make, and constitute to all and singular the premises, our true and legitimate procurators and special messengers, the beloved to us in Christ, the brother Thomas Ffereby, Thomas Morton and John Hayton, monks of our priory, the Masters William Schyppeley, John Huntynghdon and Gregory Newport clerks, in common and separately, and any of them in full, to appear in our name and for us and our chapter, before the reverend father and lord in Christ the Lord William by the grace of God bishop of Coventry and of Lichfield, who, as is said, proposes to erect the parish church of Manchester of the diocese of Coventry and Lichfield into a collegiated church, by the commissary, or commissaries, whoever they may be, deputed of the said reverend father, in the business of such an erection, also by treating with the said reverend father in this party, and by consenting to all those things which shall happen in the ordinary business of such an erection, and all and singular other things in the business of such an erection necessary and requisite to be done, to be done, practised and expedited. So that there be not a better condition of the occupant, but because one of them shall begin, any one of them may at pleasure be enabled to prosecute, take part in, and finish. Promising that we shall for ever hold ratified, acceptable and firm all and whatever the said our procurators, or any of them, should he or they do in the premises, or in any of the premises, under the pledge and obligation of all our goods, by a judgment also to be arrested, and what is adjudged we promise to be paid and, by these presents, we declare the cautions [securities].

In testimony of which we have been induced to attach our common seal.

Dated in our chapter house in the 3rd day of the month of August in the year of the Lord 1421.

The Dean and Canons of the Cathedral Church of Lichfield, through their Public Notary, Richard Wadelsay, appoint William Brynkelowe to be their lawful Procurator.

In dei nomine Amen per presens publicum instrumentum cunctis appareat evidenter quod anno domini millesimo ⁴⁴ quadringentesimo vicesimo primo Indictione quarta decima pontificatus sanctissimi in Christo patris et domini nostri domini Martini divina providencia *pape quinti* anno quarto mensis Augusti die quinto in domo Capitulari ecclesie Cathedralis Lichfeldensis in mei notarii publici et testatorum subscriptorum presencia personaliter constituti ⁴⁵ venerabiles viri magistri Thomas de Stretton decanus ejusdem ecclesie Cathedralis Willielmus Newhagh Thomas Barton Walterus Bullok et Walterus Perys Canonici ut asseruerunt antedictae ecclesie cathedralis Lichfeldensis ibidem ut michi notario publico subscripto apparuit capulariter congregati ⁴⁶ et capitulum ibidem ut asseruerunt facientes dilectum sibi in Christo magistrum Willielmum Brynkelowe ipsorum concanonicum et confratrem ecclesie antedictae ut asseruerunt tunc ibidem presentem suum verum et legitimum fecerunt et constituerunt in hac parte procuratorem dederunt quoque et concesserunt prefato procuratori suo potestatem generalem et mandatum speciale.

Ad comparandum nomine ipsorum et pro eis ac capitulo predicto coram Reuerendo in Christo patre et domino domino Willielmo dei gracia ⁴⁷ Couentrensi et Lichfeldensi Episcopo qui ut dicitur ecclesiam parochialem de Mamcestr Couentrensis et Lichfeldensis diocesis proponit erigere in collegiatam ipsius vice Reverendi patris Commissario aut Commissariis quibuscunque in negotio ereccionis ecclesie huiusmodi ac cum eodem Reverendo patre in hac parte tractando ⁴⁸ et omnibus hiis que in huiusmodi ereccionis negotio ordinari contigerint consenciendis Ceteraque omnia et singula in huiusmodi ereccionis negotio fieri necessaria et requisita facienda exercenda et expedienda.

Et promiserunt dicti constituentes michi notario publico subscripto vice et nomine omnium ⁴⁹ et singulorum quorum interest vel interesse poterit in hac parte publice et solemniter stipulanti et recipienti se ratum gratum et firmum perpetuo habituros totum et quicquid dictus procurator suus fecerit in premissis vel aliquo premissorum et exposuerunt cauciones.

Acta sunt hec prout supra scribuntur et re ⁵⁰ ci-
tantur sub anno domini indictione pontificatus mense die et loco predictis presentibus discretis viris magistris Johanne Huntynghdon rectore ecclesie paro-

chialis de Assheton Ricardo Lombard rectore ecclesie parochialis de Kyrkeby super Bayn et domino Stephano Kaye rectore ecclesie parochialis de Wakerle Couentrensis ⁵¹ et Lichfeldensis ac Lincolnensis diocesis Testibus ad premissa vocatis specialiter et rogatis.

Et ego Ricardus Hadelsay clericus Eboracensis publicus auctoritate *pape* notarius premissis omnibus et singulis dum scripta ut premittitur sub anno domini Indicione pontificatus mense die et loco predictis agerentur et fierent una cum pre-nominatis ⁵² testibus presens personaliter interfui eaque omnia et singula scripta fieri vidi et eadem scripsi publicavi et in hanc publicam formam redegi meisque nomine et signo solitis et consuetis signavi ac manu propria me hic subscripsi rogatus et requisitus in fidem et testimonium omnium et singulorum premissorum.

TRANSLATION.

In the name of God, amen! By the present public instrument be it evidently apparent to all men, that in the year of the Lord 1421, in the fourteenth indiction of the pontificate of the most holy father and of our lord in Christ, the Lord Martin, by Divine Providence the fifth pope, in the fourth year, in the fifth day of the month of August, in the chapter house of the cathedral church of Lichfield, in the presence of myself public notary personally constituted and of the subscribed witnesses, the venerable men, the Masters Thomas de Stretton, dean of the same cathedral church, William Newhagh, Thomas Barton, Walter Bullok and Walter Perys, canons, as they asserted, of the beforesaid cathedral church of Lichfield, in the same place, as it appeared to me, the subscribed public notary, assembled in chapter, and in the same place, as they asserted, forming a chapter, made and constituted Master William Brynkelowe, beloved to them in Christ, their fellow canon and joint brother of the church before said, as they asserted, then in that place present, their true and lawful procurator in this party, and also gave and granted to the beforesaid their procurator a general power and special mandate,

To appear in the name of them, and for them, and for the aforesaid chapter, before the reverend father and lord in Christ, the Lord William, by the grace of God bishop of Coventry and Lichfield, who, as is said, proposes to erect the parish church of Manchester, of the diocese of Coventry and Lichfield, into a collegiated church, by the commissary, or commissaries, whoever they may be, deputed of the reverend father himself in the business of the erection of such a church, and by treating with the same reverend father in this

party, and by consenting to all those things which shall fall out in the ordinary business of such an erection, And other things, all and singular in the business of such an erection, necessary and requisite to be done, to be done, practised, and expedited.

And the said constituents promised to me, the said subscribed public notary, by the deputation and in the name of all and singular whom it concerns, or shall concern in this party, publicly and solemnly stipulating and taking minutes, that they would for ever hold ratified, acceptable and firm, the whole and whatever the said their procurator should do in the premises or in any of the premises, and they declared the cautions [securities].

These are the acts as they are above written and recited about the year of the Lord, the indiction of the pontificate, the month, day and place before said. There being present the discreet men, the Masters John Huntynghdon, rector of the parish church of Asseton, Richard Lombard, rector of the parish church of Kirkeby-upon-Bayn, and the Lord Stephen Kaye, rector of the parish church of Wakerle of the diocese of Coventry and Lichfield. The witnesses to the premises having been specially summoned and questioned.

And I Richard Hadelsay, clerk of York, by the authority of the pope, public notary to the premises all and singular, while the writings, as is premised, about the year of the Lord, in the indiction of the pontificate, in the month, day and place before said were executed and made, having been present, together with the above-named witnesses, personally interposed, and all and singular the things written I saw to be done, and the same wrote, published and reduced to this public form, and, with my usual and accustomed name and sign, signed, and, having been asked and required, with my own hand here subscribed myself towards the faith and testimony of all and singular the premises.

**Henry Halsall, Archdeacon of Chester,
empowers Robert Maderere and
John Huntynghdon to be his law-
ful Procurators.**

⁵³ Pateat universis per presentes quod nos Henricus Halsall Archidiaconus Cestriensis Couentrensis et Lichfeldensis diocesis ad comparandum nomine nostro et pro nobis coram Reuerendo in Christo patre et domino domino Willielmo dei gracia Couentrensi et Lichfeldensi Episcopo qui ut dicitur ecclesiam parochialem de Mamcestr dicte ⁵⁴ diocesis proponit erigere in collegiatam dicti vice reverendi patris Commissario aut Commissariis

quibuscunque in ereccionis negocio ecclesie huiusmodi ac cum dicto reuerendo patre tractando et omnibus hiis que in huiusmodi ereccionis negocio ordinari contigerint consendiendis. Cetera⁵⁶ que omnia et singula in huiusmodi ereccionis negocio fieri necessaria et requisita facienda et exercenda et expedienda. Dilectos nobis in Christo magistros Robertum Maderere et Johannem Huntynghdon in decretis Bacallarios communitem et divisim et quemlibet eorum in solidum Ita quod⁵⁶ non sit⁵⁶ melior condicio occupantis set quod unus eorum inceperit quilibens eorum libere sequi mediare valeat et finire nostros veros et legitimos ordinamus facimus et constituimus ad premissa omnia et singula procuratores et nuncios speciales promittentes nos ratum gratum atque firmum habituros⁵⁷ totum et quicquid dicti procuratores nostri seu eorum alteri fecerint seu fecerit in premissis vel aliquo premissorum sub ypotheca et obligacione omnium bonorum nostrorum iudicio sisti et iudicatum solui promittimus et cauciones exponimus per presentes.

In cuius rei testimonium sigillum nostrum presentibus est appensum.

⁵⁸ ⁵⁸ Datum apud Haywode tercio die mensis Augusti anno domini millesimo quadragentesimo vicesimo primo.

TRANSLATION.

Be it known to all men by these presents that we Henry Halsall, archdeacon of Chester, of the diocese of Coventry and Lichfield do ordain, make and constitute to all and singular the premises our true and lawful procurators and special messengers, the beloved to us in Christ, Masters Robert Maderere and John Huntynghdon, bachelors in decrees, in common and separately, and any of them in full, to appear in our name and for us before the reverend father and lord in Christ the Lord William by the grace of God bishop of Coventry and Lichfield, who, as is said, proposes to erect the parish church of Manchester of the said diocese into a collegiate one, by the commissary, or commissaries, whoever they may be, deputed of the said reverend father in the business of such an erection, also by treating with the said reverend father, and by consenting to all those things which shall happen in the ordinary business of such an erection, And all and singular other things in the business of this erection necessary and requisite to be done, to be done, practised and expedited. So that there be not a better condition of the occupant, but because one of them shall begin, any of them may freely be enabled to prosecute, take a part in, and finish. Promising that we shall hold ratified, acceptable and firm all and whatever

the said our procurators, or any of them, he or they, shall do in the premises, or in any of the premises, under the pledge and obligation of all our goods, by a judgment also to be arrested, and what is adjudged we promise to be paid and by these presents we declare the cautions [securities].

In testimony of which, our seal has been appended to these presents.

Dated at Haywode in the 3rd day of the month of August in the year of the Lord 1421.

§ 3. THE THIRD PORTION OF THE CHARTER OF FOUNDATION.

In the portion of the charter of foundation which follows the two preceding ones, rehearsed and explained, we infer that the collegiate of the parish church of Manchester, and the motives for the same, gave considerable dissatisfaction to certain of the party convoked to give their attendance at the chapter, whereby they incurred the penalty of contumacy.

The grounds of this dissatisfaction are not stated. It might possibly have resulted from the long protracted disputes between the secular and regular clergy. It is stated that after the death of Walter de Langton, in the fourteenth century, a dispute was long kept up between the monks of Coventry and the canons of Lichfield regarding the choice of a bishop, notwithstanding the agreement that there should be an equal number of monks and canons at every election.

It is but too likely, however, that the extraordinary exposure which was made, in the true spirit of Wycliffe himself, of the abuses of church patronage, and the neglect of the cure of souls, might have given great offence to certain of the party who were summoned to take a share in the judicial process, or to give their evidence before the chapter then assembled. Hence, probably, their refusal to attend the consistory court, whereby they would render themselves liable to the penalty of contumacy.

In the mean time, the chapter busied itself in examining "witnesses, writings, rights, and evidences, and different muniments in proof of the premises," which, according to the words of the charter, "they weighed diligently, with circumspection, and with mature deliberation." Finding, therefore, after an investigation of two or three days, namely, from the 3rd to the 5th of August, that the premises were "fortified by truth," they no longer hesitated to laud the holy and pious intent of the proposed appropriation, and to proceed at once with the business of erection and foundation.

Declaration of the Contumacy of certain Persons.

Tandem pars dictorum domini Thome Episcopi et ceterorum cum eo superius nominatorum ac prefati Thome la Warre contumaciam aliorum in hac parte in genere citatorum et non comparencium accusavit instanter ⁵⁹ quos iterato fecimus publice preconizari et ipsos sic preconizatos ac sufficienter expectatos ac non comparentes pronunciauimus quare reputauimus in hac parte prout erant indicto contumaces. In quorum penam contumacie et in presencia partis prefatorum dilectorum filiorum prioris et decani ac capitulorum ⁶⁰ predictorum et prefati magistri Henrici Halsall Archidiaconi nostri Cestriensis pars dictorum domini Thome Episcopi et ceterorum cum eo superius nominatorum ac prefati Thome la Warre certos testes scripta jura evidencias quoque et munimenta diversa ad probanda premissa nobis ut prefertur pro parte ipsorum domini ⁶¹ Thome Episcopi et ceterorum cum eo superius nominatorum ac prefati Thome la Warre suggesta et exposita produxit coram nobis judicialiter ministravit et exhibuit ipsisque testibus et probacionibus de consensu et assensu partis dictorum dilectorum filiorum prioris ac decani ⁶² et capitulorum predictorum ac prefati ⁶² magistri Henrici Halsall Archidiaconi nostri Cestriensis et in penam contumacie aliorum ut premittitur citatorum comparere non curancium debite [*concurrentibus*] eisque testibus in forma juris juratis ac auctoritate nostra debite postea examinatis et eorum dictis et depositionibus et aliis exhibitis predictis in hac ⁶³ parte postea debite publicatis ipsisque diligenter per nos prius inspectis et cum deliberacione matura recensitis [*pronunciamus et adjudicamus omnia et singula*] premissa nobis per dictos Thomam Dunelmensem Episcopum et ceteros cum eo superius nominatos ac prefatum Thomam la Warre superius ⁶⁴ suggesta et exposita veritate fulciri

Idcirco nos Willielmus dei gracia Couentrensis et Lichfeldensis Episcopus predictus sanam et piam augmentorum intencionem dictorum domini Thome Episcopi et ceterorum cum eo superius nominatorum ac prefati Thome la Warre in hac ⁶⁵ parte merito commendantes et ⁶⁵ in huiusmodi erectionis et fundacionis negocio ulteriusque legitime procedentes.

Ad laudem et honorem * * *
* * * *

TRANSLATION.

At the last, a party of the said Lord Thomas the Bishop and of the others above named with him, and of the aforesaid Thomas la Warre, earnestly accused the contumacy of some cited in

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this party in general and not appearing, whom we have once more caused to be publicly proclaimed, and [against] such as were thus proclaimed and sufficiently waited for and not appearing, we have pronounced, inasmuch as we have considered that in this party, they were by the proclamation contumacious.—Upon penalty of the contumacy of whom, and in the presence of a party of the before said beloved sons the prior and the dean and of the aforesaid chapters, and of the aforesaid Master Henry Halsall our Archdeacon of Chester, a party of the said Lord Thomas the Bishop and of the others above named with him, and of the aforesaid Thomas la Warre, produced before us, judicially administered and exhibited certain witnesses, writings, rights, and evidences, also divers muniments, prepared and expounded, to prove to us the premises, as is shewn on the part of them the Lord Thomas the Bishop and of the others above named with him, and of the aforesaid Thomas la Warre. And the same witnesses and proofs duly agreeing, by the consent and assent of a party of the said beloved sons the prior and dean, and of the aforesaid chapters, and of the before said Master Henry Halsall our Archdeacon of Chester, and upon penalty of the contumacy of some, as is premised, cited and not caring to appear, those witnesses being also sworn in the form of a jury, and by our authority being duly afterwards examined, and their sayings and depositions and other things aforesaid exhibited in this party being afterwards duly published, and these having been first by us duly inspected, and with mature deliberation reviewed, we pronounce and adjudge all and singular the premises above prepared and expounded by the said Thomas Bishop of Durham, and the others above named with him, and the aforesaid Thomas la Warre, to be fortified by truth.

Wherefore we, William, by the grace of God, Bishop of Coventry and Lichfield aforesaid, in this behalf worthily commending the holy and pious intention of augments of the said Lord Thomas the Bishop and of the others above named with him, and of the aforesaid Thomas la Warre, and in the business of an erection and foundation of this description, still farther legitimately proceeding:

To the praise and honour * * *
* * * *

§ 4. THE FOURTH PORTION OF THE CHARTER OF FOUNDATION.

At the close of the foregoing extract we learn, that, after a rigid and most complete inquiry had been made into the circumstances which induced the bishop of Durham and Thomas la Warre to

seek for a new constitution and appropriation connected with the spiritual interests of the parish of Manchester, the business of an erection and foundation of the college and collegiate church was no longer delayed.

The charter of foundation, properly so called, which follows, was declared by William de Heiworth, the lord bishop of Lichfield and Coventry, as framed in connexion with certain ordinances and statutes of the bishop of Durham and Thomas la Warre, to be approved of by the chapter. We learn from the charter,

First,—That the church of Manchester was dedicated to the praise and glory of God, to the Virgin, and to the Saints Dionysius and George, the martyrs;

Secondly,—That its proposed object was the augmentation of Divine worship, the cure of souls, and the profit and common utility of the parishioners;

Thirdly,—That with the consent of Thomas la Warre, the present rector of the church, the same was erected into a collegiate church, and that in the same place there was created a perpetual college governed by one master, or warden, a chaplain;

Fourthly,—That the master, or warden, presented by Thomas, bishop of Durham, and Thomas la Warre, should be presented for ever, and by the bishop of Lichfield and his successors, or by the keeper of the spirituality in the episcopal see, be admitted for ever, and canonically instituted and inducted in the said college;

Fifthly,—That there was to be eight fellow chaplains received and admitted, who were to live together in the said college;

Sixthly,—That they were charged to pray for the healthful state and for the souls of the king, the bishop of Durham and Thomas la Warre, &c. &c. [As directed in the royal license of foundation given in page 147];

Seventhly,—That the master, or warden, and eight fellows were to be perpetually supported from the rents, fruits, produce, and revenues of the said college;

Eighthly,—That to the said master, or warden, or to his successors, belonged the cure of souls and the government of the chaplains and other ministers serving in the said collegiate church, and also of the parishioners of the said church or college of Manchester;

Ninthly,—That special license was granted by the bishop of Lichfield to Thomas, bishop of Durham, and Thomas la Warre, to frame and digest reasonable ordinances and statutes for the government of the college;

Tenthly,—That, upon the resignation or decease of the present rector, Thomas la Warre, the warden and fellows of the college were to retain for ever the church of the college, as well as all rents, profits, and revenues referred to in the intended ordinances and statutes;

Eleventhly,—That the episcopal right and jurisdiction of the see of Lichfield and Coventry, was to be continued in force over the same church of Manchester;

Twelfthly,—That an annual pension of forty shillings was to be paid to the bishop of Lichfield and Coventry and his successors, at the feast of the Holy Michael;

Thirteenthly,—That, at the same time and place, an annual pension of twenty shillings was to be paid to the dean and chapter of Lichfield;—

Fourteenthly,—That another annual pension of twenty shillings was to be paid to the archdeacon of Chester, for the time being;

Fifteenthly,—That a reservation was made of the rights, interest, and indemnity appertaining to the archdeaconry, by reason of the erection of the college;

Sixteenthly,—That, in case of a failure of paying the aforesaid pensions, the profits, rents, &c., of the college were to be sequestrated in satisfaction thereof, with a liability to other canonic censures, &c.

The charter was dated at Heywood, on the 5th day of August, 1421, in the presence of several noble and honourable witnesses.

The Charter of Foundation declared by the Bishop of Lichfield and Coventry.

Ad laudem et honorem omnipotentis Dei gloriose que virginis ac genitricis ejusdem in cuius honorem dicta ecclesia de Mamcestre dedicata consistit sanctorumque Dionisii et Georgii martirum cultusque divini ⁶⁶augmentationem ac cure ⁶⁶animarum parochianorum dicte ecclesie debitum exercicium et profectum et dictorum parochianorum utilitatem communem ad instantem supplicationem dictorum domini Thome Episcopi et ceterorum cum eo superius nominatorum ac prefati Thome la Warre habitis prius super hoc dili ⁶⁷gentibus solemnitatibus cum capitulis ecclesiarum nostrarum predictarum capitulariter congregatis ac in presencia partis dictorum dilectorum filiorum prioris et capituli Couentrensium ac decani et capituli Lichfeldensium ecclesiarum nostrarum earundem necnon dilecti filii magistri Henrici Hallsall Archidiaconi nostri Cestriensis predicti

⁶⁸ et de eorum ac dictorum patronorum necnon omnium parochianorum dicte ecclesie de Mamcestre consensu et assensu expressis ac in penam contumacie absencie ut prefertur citatorum et preconizatorum publice ac comparere non curancium concurrentibus que et observatis omnibus et ⁶⁹ singulis que in hac parte de jure seu ⁶⁹ consuetudine requirebantur et requiruntur Vocatisque in hac parte de jure vocandis ac seruato per nos in hac parte in omnibus legitimo processu omnia et singula per prefatos dominum Thomam episcopum et ceteros cum eo superius nominatos ac prefatum ⁷⁰ Thomam la Warre nobis ⁷⁰ ut prefertur suggesta et exposita vera fuisse et esse pronunciamus et declaramus.

Ac prefatam ecclesiam parochialem de Mamcestre cum suis juribus et pertinenciis universis presente personaliter ac consenciente expresse prefato venerabili viro Thoma la Warre rectore eiusdem ⁷¹ ecclesie moderno in ecclesiam collegiatam erigendam fore decernimus et erigimus

Ibidem que unum collegium perpetuum de uno magistro siue custode capellano nobis seu successoribus nostris Couentrensibus et Lichfeldensibus Episcopis pro tempore existentibus seu custodi spiritualitatis sede Episcopali ibidem ⁷² vacante juxta ordinacionem dictorum domini Thome Episcopi et Thome la Warre imperpetuum presentando et per nos seu per illos imperpetuum admittendo et canonice instituendo ac inducendo in eodem et de octo sociis capellanis ac aliis ministris deo ibidem deserviturus juxta ordinacionem et nominacionem dictorum Reuerendi ⁷³ patris Thome Episcopi ac venerabilis viri Thome la Warre quo advixerint in dicto collegio recipiendis et admittendis ac diuina inibi pro salubri statu dicti domini nostri Regis et dictorum domini Thome Episcopi Dunelmensis et Thome la Warre dum vixerint ac pro ipsorum ⁷⁴ animabus cum ab hac luce migrauerint ⁷⁴ ac progenitorum suorum et antecessorum dicti Thome la Warre necnon animabus parochianorum dicti collegii ac omnium fidelium defunctorum juxta eorumdem dicti Thome Episcopi et ceterorum cum eo superius nominatorum fundacionem ac dictorum domini Thome Episcopi et Thome la Warre ordinacionem faciendam celebraturis auctoritate ⁷⁵ nostra ordinaria quantum in nobis est fieri fundari et stabiliri decernimus per presentes

Quos quidem magistrum siue custodem dicti collegii fundati quemcumque per nos seu successores nostros siue custodem spiritualitatis ut prefertur admittendum et canonice instituendum et inducendum, ac ceteros ministros ⁷⁶ predictos et alios in ipso collegio imposterum ut prefertur recipiendos et admittendos de redditibus fructibus prouentibus et obuencionibus dicte ecclesie collegiate

presentis et future et aliis eis in ea parte debite adquirendis juxta ordinaciones et statuta dictorum domini Thome Episcopi et Thome la Warre decernimus perpetuo sustentari. ⁷⁷

Ad quem quidem magistrum siue custodem ipsiusve successores quoscumque perpetuis futuris temporibus curam animarum et regimen capellanorum ceterorumque ministrorum in dicta ecclesia collegiata pro tempore deseruienchium necnon parochianorum dicte ecclesie seu collegii de Mamcestre ⁷⁸ volumus et decernimus pertinere

Quibus quidem Thome Episcopo et Thome la Warre predictis de condendo et edendo ordinaciones et statuta rationabilia in hac parte per nos tamen seu successorem nostrum confirmanda licenciam in domino concedimus et damus speciale.

Decernentes insuper et decernimus quod cedente ⁷⁹ vel decedente prefato venerabili viro Thoma la Warre rectore eiusdem ecclesie moderno vel quomodolibet alias ipsam ecclesiam demittente liceat magistro siue custodi predicto habitis prius per eum ut est premissum canonicis institucione et inductione et ceteris sociis ipsius collegii simul vel successu receptis et admissis dictam ecclesiam ⁸⁰ collegiatam et ejus possessionem tanquam ecclesie Collegii adipisci et pro perpetuo retinere et possidere ac de redditibus fructibus prouentibus et obuencionibus ejusdem et aliis in ea parte adquirendis libere disponere juxta ordinacionem et statuta in hac parte ⁸¹ ut premittitur condenda et edenda ac confirmanda.

Jure et jurisdictione nostris Episcopalibus ac dignitate ecclesiarumstrarum Couentrensium et Lichfeldensium impetentibus in et de eadem ecclesia de Mamcestre predicta nobis et successoribus nostris Couentrensibus et Lichfeldensibus Episcopis ac ecclesiis nostris antedictis in omnibus aliis non ⁸² expressis et concessis semper salvis.

Nec non pensione annua quadraginta solidorum nobis et successoribus nostris singulis futuris annis imperpetuum per dictos magistrum siue custodem et socios in ecclesia nostra Lichfeldensi ad festum sancti Michaelis annuatim soluenda

Ac annua eciam pensione viginti solidorum ⁸³ decano et capitulo dicte ecclesie nostre Lichfeldensis consimiliter soluenda.

Annua eciam pensione aliorum viginti solidorum Archidiacono nostro Cestriensi pro tempore existenti consimiliter pro quibuscumque suis jure interesse et indempnitate archidiaconalibus ratione ereccionis predictae soluenda reservatis.

Et si contingat ⁸⁴ dictas annuas pensiones quadraginta viginti ac viginti solidorum aretro fore in futurum post terminum predictum non solutas in parte vel in toto extantes volumus et de consensu

dictorum Thome Episcopi et ceterorum cum eo superius nominatorum ac prefati Thome la Warre nobis hec facere supplicantium decernimus ⁸⁵ et ordinamus ut ad solucionem et integram satisfacionem pensionum huiusmodi dicti collegii magister sive custos et socii huiusmodi per dictorum fructuum reddituum et proventuum sequestracionem et alias censuras canonicas per nos seu successores nostros huiusmodi summarie et de plano sine strepitu et ⁸⁶ figura iudicii compellantur.

In cuius rei testimonium sigillum nostrum presentibus apposimus. Datum in manerio nostro de Haywode quinto die mensis Augusti Anno domini millesimo quadringentesimo vicesimo primo Et nostre consecracionis anno secundo Indiccionem ⁸⁷ que quarta decima pontificatus ⁸⁷ sanctissimi in Christo patris et domini domini Martini summa providencia [*pape*] quinti anno quarto

Presentibus nobili viro domino Edmundo de Fferrares de Charteley domino Johanne Bagot milite Petro de la Pole et Johanne Chetewyade Armigeris Magistris Johanne Heyworth Rectore ⁸⁸ ecclesie ⁸⁹ de Thynnore ac Thoma Hytt et Gregorio Neuporte notariis publicis et aliis pluribus testibus ad premissa vocatis specialiter et rogatis.

TRANSLATION.

To the praise and honour of the omnipotent God, and of the glorious Virgin, and mother of the same, to the honour of whom the said church of Manchester having been dedicated, subsists, and of the holy martyrs Dionisius and George, and to the augmentation of divine worship and the due exercise and profit of the cure of souls of the parishioners of the said church, and the common utility of the said parishioners, at the importunate supplication of the said Lord Thomas the Bishop and the others with him above named and of the aforesaid Thomas la Warre, diligent formalities having been first held upon this, along with the chapters of our churches aforesaid assembled in chapter, and in the presence of a party of the said beloved sons the prior and chapter of Coventry and of the Dean and Chapter of Lichfield of the same our churches, also of the beloved son Master Henry Hallsall our Archdeacon of Chester aforesaid, and by the expressed consent and assent of them and of the said patrons, also of all the parishioners of the said church of Manchester, and on pain of the contumacy of absence, as is before shewn of those cited and publicly proclaimed and not heeding to come, and all and singular things concurring and being observed which in this party from right or custom were and are required, and there being summoned in this party all who from right were to be summoned, and a lawful pro-

cess having been served by us in this party in all things, we pronounce and declare all and singular the things, as is before stated, prepared and expounded by the beforesaid Lord Thomas the Bishop and the others above named with him, and the beforesaid Thomas la Warre, to have been and to be true.

And we decree that the aforesaid parish church of Manchester exist with all its rights and appurtenances, there being personally present and expressly consenting the venerable man Thomas la Warre, the present rector of the same church, to be erected, and we do erect, into a collegiated church.

And in the same place, by our ordinary authority, as much as in us lies, we decree by these presents to be made, founded and established, a perpetual college of one master, or warden, a chaplain, by us or by our successors, the bishops of Coventry and Lichfield for the time being, or by the keeper of the spirituality, should the episcopal see be at that place vacant, according to the ordinance of the same lord Thomas the Bishop and Thomas la Warre to be presented for ever, and by us, or by them to be admitted for ever, and to be canonically instituted and inducted in the same, and of eight fellows, chaplains, and other ministers, to serve God in the same place according to the ordinance and nomination of the said Reverend father Thomas the Bishop, and of the venerable man, Thomas la Warre, to the end that they should live together, to be received and admitted into the said college,

And, therein, to celebrate divine rites for the healthful state of the said lord our king, and of the said lord Thomas, bishop of Durham, and of Thomas la Warre, while they shall live, and for the souls of them when from this light they shall have migrated, and of their progenitors, and of the ancestors of the said Thomas la Warre, also for the souls of the parishioners of the said college, and of all the faithful defunct, according to the foundation of the same mentioned lord Thomas, the Bishop, and others with him above named, and the ordinance of the said lord Thomas, the Bishop, and of Thomas la Warre, [yet] to be framed;—

Which master indeed, or warden of the said founded college, whoever he may be, by us or our successors, or by the keeper of the spirituality, as is before shewn, to be admitted and canonically instituted and inducted, and the other aforesaid ministers and the others in this college hereafter, as is before shewn, to be received and admitted, we decree to be supported for ever from the rents, profits, supplies and revenues of the said collegiated church, present and future, and from such other [gains] in this party as are duly

to be acquired, according to the ordinances and statutes of the said lord Thomas the Bishop, and Thomas la Warre;

To which master indeed or warden, or his successors, whomsoever in all future times they may be, we will and decree to belong the cure of souls, and the government of the chaplains and other ministers serving for the time being in the said collegiated church, as well as of the parishioners of the said church or college of Manchester.

To which Thomas the Bishop and Thomas la Warre beforesaid we truly grant and give special license in the Lord regarding the composing and publishing the ordinances and reasonable statutes in this party, nevertheless by us or our successor to be confirmed.

Decreeing moreover and we do decree, that upon the aforesaid venerable man Thomas la Warre the present rector of the same church resigning or dying, or otherwise in any manner soever quitting this church, it may be lawful to the aforesaid master, or warden, (canonic institution and induction having been first possessed by him, as it has been premised, and the other fellows of the college together or successively having been received and admitted,) to acquire the said collegiated church and the possession of it as of the church of the college, and, for a perpetuity, to retain and to possess, and from the rents, fruits, profits and revenues of the same and other things in this party to be acquired, to freely distribute, according to the ordinance and statutes in this party, as is premised, to be digested, and published and confirmed.

Save always to us and to our successors the bishops of Coventry and Lichfield, and to our churches aforesaid, in all other things not expressed and conceded, our episcopal right and jurisdiction and the dignity of our churches of Coventry and Lichfield having claims in and relating to the same church of Manchester aforesaid.

Also an annual pension of forty shillings, to us and to our singular successors hereafter for ever to be paid annually by the said master, or warden, and fellows, in our church of Lichfield, at the Feast of the Holy Michael,

And also an annual pension of twenty shillings to the dean and chapter of the said our church of Lichfield, to be paid in like manner.

Moreover an annual pension of other twenty shillings to be paid to our Archdeacon of Chester for the time being, in like manner, for his archidiaconal right, interest and indemnity, whatever they may be, reserved by reason of the aforesaid erection.

And if it happen that the said annual pensions,

forty, twenty, and twenty shillings should be in arrears in future after the aforesaid term, remaining unpaid in part or in whole, we will, and, by consent of the said Thomas the Bishop and of the others above named with him, and of the beforesaid Thomas la Warre supplicating us to do these things, do decree and ordain, that towards the payment and entire satisfaction of such pensions of the said college, the master, or warden and fellows described, may summarily, and straight forward, and without tumult and the shew of judgment be compelled by a sequestration of the said profits, rents and produce, and by other canonic censures.

In testimony of which, we have appended our seal to these presents. Dated in our manor of Haywode in the fifth day of the month of August in the year of the Lord 1421, and in the second year of our consecration, also in the fourteenth indiction of the most holy pontificate, in the fourth year of the father and Lord in Christ the Lord Martin by Supreme Providence the fifth Pope.

There being present the noble man the Lord Edmund de Fferares de Charteley, the Lord John Bagot, Knight, Peter de la Pole and John Chetwynde Esquires, Masters John Heyworth, Rector of the church of Thynnore, and Thomas Hytt and Gregory Neuporte, Notaries Public, and many other witnesses specially summoned and invited to the premises.



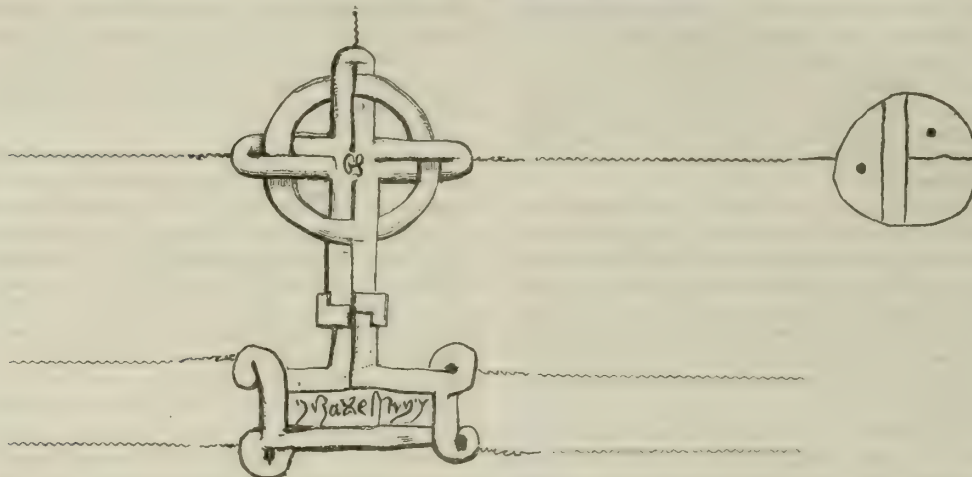
From a Drawing by the late Miss Hibbert-Ware.

Sigillum Willielmi, Dei gracia, Couentrensis et Lichfeldensis Episcopi.

§ 5. THE FIFTH PORTION OF THE CHARTER OF FOUNDATION.—DECLARATION OF THE PUBLIC NOTARY TO THE CORRECTNESS OF THE PROCEEDINGS.

To this charter follows a declaration of Richard Hadelsay, clerk of York and public notary, that he was present and drew up the whole of the proceedings in the chapel of the manor of Haywode, and he notices certain interlineations and corrections which he made.

Declaration of the Public Notary.



⁸⁹ Et ego Ricardus Hadelsay clericus Eboracensis publicus antedictus notarius premissis omnibus et singulis dictis sic ut premittitur sub anno domini millesimo CCC^{mo} vicesimo primo indictione ⁹⁰ quarta decima pontificatus sanctissimi ⁹⁰ in Christo patris et domini nostri domini Martini divina Providentia [*pape*] quinti anno quarto mense Augusti die quinto In capella manerii de Haywode prefati Reuerendi patris et domini domini Willielmi Dei ⁹¹ gracia Coventrensis et Lichfeldensis ⁹¹ Episcopi coram eodem Reuerendo patre Coventrensi et Lichfeldensi Episcopo et per ipsum agebantur et fiebant una cum testibus prenominatis presens personaliter interfui eaque omnia et singula sic fieri vidi et audiui aliundeque multiplicatis occurrentibus ⁹² per alium scribi feci publicavi et in hanc publicam formam de mandato prefati Reuerendi patris Coventrensis et Lichfeldensis episcopi redegei meisque nomine et signo solitis et consuetis signavi ⁹³ rogatus et requisitus in fi⁹³dem et testimonium omnium premissorum

⁹⁴ Constat michi notario antedicto de messuagiis *advocacione dictis omnibus serviciis* superius vicesima quinta linea a capite presentis instrumenti publici computando facta quam approbo ego notarius ante ⁹⁴ dictus

In the charter of foundation, an unnecessary repetition of the royal license has been avoided. The reader there-

fore is referred to page 146, line 21, as numbered on the margin, where a supposed omission of the king's precept is corrected by episcopal authority!

Constat eciam michi notario predicto de interlineis istorum dictorum *suum verum et legitimum fecerunt et constituerunt in hac parte procuratorem dederuntque et concesserunt prefato procuratori suo protestatem generalem et mandatum speciale* superius quadragesima sexta linea a capitulo presentis publici instrumenti eciam computando quam eciam approbo ego idem notarius.—[See p. 158.]

TRANSLATION.

And I, Richard Hadelsay, clerk of York, a public notary aforesaid to all and singular the said premises, thus, as is premised, about the year of the Lord 1421, in the 14th indiction of the most holy pontificate, in the fourth year of our lord and father in Christ the lord Martin by divine Providence the fifth Pope, in the month of August, in the fifth day, being personally present was in the midst, and saw and heard that all and singular the things were so done in the chapel of the manor of Haywode of the aforesaid Reverend father and lord, the lord William, by the grace of God, Bishop of Coventry and Lichfield, before the same reverend father Bishop of Coventry and Lichfield, and by him they were transacted and accomplished in con-

junction with the before named witnesses. And elsewhere occurrences having been multiplied, by another person, I wrote, made, published, and, by command of the beforesaid Reverend father the Bishop of Coventry and Lichfield, reduced into this public form, and, with my usual and accustomed name and sign, having been interrogated and placed in requisition towards the faith and testimony of all the premises,

It appears to me the beforesaid notary, in the twenty-fifth line, [see the remark appended to the latin text] in reckoning from the head of the present public instrument, inserted above, regarding *the said messuages, advowson, all services*,—which I, the beforesaid notary, approve of.

It is also manifest to me the beforesaid notary regarding the interlineation of these words *made and constituted their true and lawful procurator in this party and gave and granted to the before said procurator a general power and special mandate*, placed above in the forty-sixth line, in likewise reckoning from the head of the present public instrument, which I also approve of, I the same notary.—[See p. 159.]

§ 6. THE SIXTH PORTION OF THE CHARTER OF FOUNDATION.

The remaining portion of the charter of foundation consists of two appendages which have been made, being of dates much subsequent to the drawing up of the principal instrument. One of them is engrossed upon a spare corner of the charter, while the other is attached to it by a string. They consist of,

First,—The confirmation given by the prior and convent of the cathedral church of Coventry to the erection and decree of the bishop of Lichfield and Coventry, dated the 3rd of August, 1422; and

Secondly,—The confirmation which David Pryce, collated archdeacon of Chester, March 7th, 1422, gave to what had been done by his predecessor, Henry Halshall, who had died soon after the erection of the college and collegiate church of Manchester had been resolved upon in chapter. This confirmation deed is dated so late as the 25th of June, 1423. There was, however, a prior deed of confirmation bearing date the 26th of June, 1422, which existed in a detached state. Why two instruments of this kind were deemed necessary, we are not informed.

As these deeds, however, form no essential of the original charter of foundation, being merely appendages to the same, they will be more properly cited and rehearsed under the dates incidental to the sequence of legal proceedings which we are next endeavouring to trace.

CHAPTER XII.

THE LAWS WHICH WERE DRAWN UP FOR THE GOVERNMENT OF THE COLLEGE.

Subsequently to the date of the charter, on the 5th of August, 1421, we are informed, that for the better government and preservation of the college of Manchester, certain statutes, decrees, customs, and ordinances, which, by the special license of the bishop of Lichfield and Coventry, were directed to be framed and digested by the bishop of Durham and Thomas, Lord la Warre, became confirmed in chapter, and were published either on the 23rd or 28th day of July, 1422.

It is unfortunate that no traces of the existence of such a document are to be found either in the archives of Lichfield, or in the muniment chest of the collegiate chapter house of Manchester. That the drawing up of such a code of laws was actually accomplished, there can be no doubt whatever. It is not only referred to by contemporaneous documents, but its existence is absolutely asserted in the subsequent act of Philip and Mary, with this addition, that the code, in conjunction with the charter of 1421, served as a basis for the newer act. In the absence, therefore, of so important a document, the charter of Philip and Mary, a copy of which has been recently discovered, acquires particular interest. In this later instrument the code is exclusively ascribed to Thomas, bishop of Durham, John Henege, Nicholas Motte, Richard Lumbard, and Richard Frith. We are likewise assured, that many of the provisions of the newer act were based upon the older code; yet it would be unsafe, without more explicit information, to do anything more than quote the titles of the various internal laws coincident with the foundation of the college, which, in the more recent charter, are rehearsed as follows:—

First,—Regarding the right and form of presenting the master and other fellows, chaplains, and the clerks of the college;

Secondly,—Of the admission of the master of the college, of his oath, and of the obedience which is to be made to him by other jurors;

Thirdly,—Of the admission of the fellows, chaplains, and clerks of the college, of their oath, and of the obedience of the jurors;

Fourthly,—Of the form of admission of the fellows, chaplains, of the clerks, as well as of the choristers of the college;

Fifthly,—Of the duty of the master, or warden, of the college;

Sixthly,—Of the election of the chaplains of the parishioners, and of the duty required of them and of the other chaplains;

Seventhly,—Of the residence of the master, or

warden, and of the other fellows, chaplains of the said college;

Eighthly,—Of the Divine offices which are to be executed, and of the mode of executing them;

Ninthly,—Of common and mutual habitation, of the conversation, and refecton of the master and chaplains;

Tenthly,—Of the stipends of all the collegiates; and of the decorum of their vestments;

Eleventhly,—Of the custody of the common seal of the college;

Twelfthly,—Of the humanity to be exhibited towards the infirm of the college;

Thirteenthly,—Of the correction and reformation of criminal excesses;

Fourteenthly,—Of the absence of collegiates;

Fifteenthly,—Of penalties.

CHAPTER XIII.

THE PROCEEDINGS WHICH FOLLOWED THE GRANT OF A CHARTER OF FOUNDATION TO THE COLLEGE AND COLLEGIATE CHURCH OF MANCHESTER.

The train of legal proceedings which followed the charter of foundation granted by the bishop of Lichfield and Coventry, may be reduced to the following:—

First,—The confirmation by David Pryce, archdeacon of Chester, of the charter of foundation, and his approbation of the statutes framed for the government of the college; dated 26th of June, 1422.

Secondly,—A similar confirmation by the prior and chapter of the cathedral church of Coventry; dated 3rd of August, 1422.

Thirdly,—The infestment of Thomas, Lord la Warre, of five messuages and ten acres of land, with their appurtenances, in Manchester, Alport, Gorton, and Heton, also the advowson of the church of Manchester, to certain feoffees, the bishop of Durham and others, for the use of the college; dated 8th of November, 1422.

Fourthly,—A letter of presentation addressed to the bishop of Coventry and Lichfield, by Thomas, Lord la Warre, in favour of John Huntynghdon, chaplain, and bachelor in decrees, to be the first warden of the college of Manchester; dated 23rd of November, 1422.

Fifthly,—The deed by which Thomas la Warre's feoffees confirm to John Huntynghdon, warden, and to the fellows of the college, certain lands in Manchester, Alport, Gorton, and Heton, and the advowson of the church of Manchester; dated December 14th, 1422.

Sixthly,—The letter of attorney addressed by Thomas la Warre's feoffees, authorising Ralph Bulkeley and Laurence Hulme to surrender the said lands and advowson to John Huntynghdon, warden, and the fellows of the college; dated December 14th, 1422.

Seventhly,—A second deed of confirmation by David Pryce, archdeacon of Chester, of the charter of foundation, with an approval of what his predecessor, Henry Halshall had done; dated 25th June, 1423.

These documents will be given in succession.

§ 1. THE CONFIRMATION BY DAVID PRYCE, ARCHDEACON OF CHESTER, OF THE CHARTER OF FOUNDATION, ETC.

As David Pryce, archdeacon of Chester, delayed his confirmation ten months from the date of the charter of foundation, it is but too probable that he waited until the time when the statutes had been prepared for the government of the college, to which this legal instrument alludes.

The document now given, is not from the original deed, which is missing, but from a copy which accidentally came into the possession of the Rev. Canon Parkinson, who kindly permitted me to copy the same.

Noverint universi per presentes quod nos David Pryce Archidiaconus Cestrie in ecclesia Lichfeldensi visis per nos fundacione collegii magistri sive custodis et cappellanorum ceterorumque ministrorum ecclesiasticorum in et de ecclesia de Mamcestre nostri Archidiaconatus sub certa forma in hiis literis quibus nostre presentes litere affixe sunt et annexe plenius expressa facta et stabilita per reverendum in Christi patrem ac dominum dominum Thomam dei gracia Dunelmensem episcopum et alios in dictis hiis nominatos Ac eciam statutis et ordinacionibus nonnullis in eisdem eorum literis conspectis per ipsos subsequenter propter ipsius collegii regimen rite ac salubriter editis atque factis eisque et eorum singulis diligenter recensitis ac deliberacione sufficienti et matura perhibita super eisdem et eorum singulis quia predicta fundaciones ordinaciones et statuta videmus meritoria atque rationalia fuisse et esse ac juri et rationi convenire.

Ipsa eciam et singula et contenta in eisdem laudamus et approbamus ac pro nobis ac successoribus nostris Archidiaconis Cestrie quibuscunque futuris quantum in nobis est tenore presencium ratificamus et confirmamus. In cujus rei testimonium sigillum nostrum presentibus est appensum. Datum in ecclesia Lichfeldensi vicesimo sexto die Junii anno domini millesimo quadragentesimo vicesimo secundo.

TRANSLATION.

Know all men by these presents, that there having been seen by us the foundation of a college of a master, or warden, and of chaplains and of other ecclesiastical ministers in and belonging to the church of Manchester of our Archdeaconry, under a purposed form in those letters to which our present letters have been affixed and annexed, as more fully expressed, made and established by the Reverend father and lord in Christ, the Lord Thomas, by the grace of God Bishop of Durham, and others in the said [letters] named,

As well as certain statutes and ordinances in the same their letters, worthy of notice by reason of the government of the same college, having subsequently been rightly and wholesomely published and made by them, and these, and each of these, having been diligently weighed, and sufficient and mature deliberation having been bestowed upon the same and each of them,

We, David Price, Archdeacon of Chester, in the church of Lichfield, because we perceive that the aforesaid foundations, ordinances and statutes have been and are meritorious and rational, and agreeable to right and reason,

These also, and each likewise contained in the same, do commend and approve, and for us and for our successors, the future Archdeacons of Chester, whomsoever they may be, do ratify and confirm, as much as in us lieth, by the tenor of these presents:

In testimony of which, our seal has been appended to these presents.

Dated in the Church of Lichfield in the 26th day of June in the year of the Lord 1422.

§ 2. CONFIRMATION OF THE CHARTER BY THE PRIOR AND CHAPTER OF COVENTRY.

- ¹ Et nos Ricardus Crosseby prior et conuentus sive capitulum ecclesie Cathedralis Coventrensis dictis ereccioni et decreto ceterisque premissis omnibus et singulis per dominum Reuerendum in Christo patrem et dominum dominum Willielmum Dei gracia Couentrensem et Lichfeldensem Episcopum et coram eo actis habitis factis gestis decretis et exercitis perhabitato inter nos capitulariter
² congregatos de et super eisdem diligenti tractatu nostros consensum et assensum prebuimus et prebemus ac ipsam ereccionem et decretum ceteraque premissa omnia et singula superius recitata facta et exercita quantum in nobis est et ad nos attinet approbamus ratificamus et confirmamus eaque omnia et singula rata valida perpetuo esse volumus
³ per presentes.

In cujus rei testimonium sigillum nostrum commune presentibus apponendum fecimus

Datum in domo nostra capitulari diete ecclesie

Y

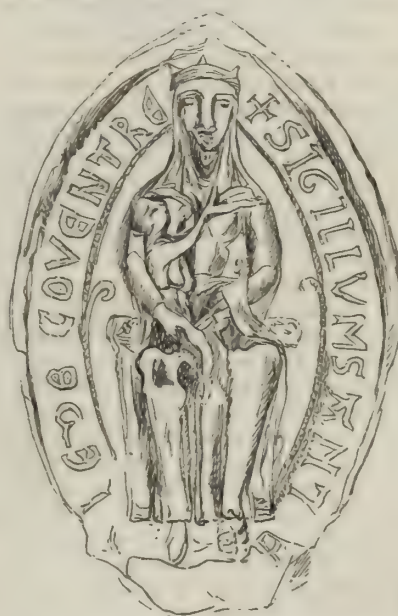
Coventrensis quo ad sigilli nostri hujus appositionem tercio die mensis Augusti anno domini millesimo quadringentesimo vicesimo secundo.

TRANSLATION.

And we, Richard Crosseby, prior, and the convention, or chapter, of the Cathedral church of Coventry, have yielded and do yield our consent and assent to the said erection, and to the decree, and to the other premises all and singular acted, performed, made, carried on, decreed and practised by the reverend Lord, the father and Lord in Christ, the Lord William by the grace of God Bishop of Lichfield and Coventry, and before Him who had throughout abided among us while assembled in chapter, with diligent investigation relating to and upon the same;

And this erection and decree and the other premises all and singular above recited, done and practised, as much as in us lieth and to us belongeth, we approve, ratify and confirm, and all and singular those things which were ratified we wish to be for ever valid by these presents.

In testimony of which we have caused our common seal to be attached to these presents. Dated in our chapter house of the said church of Coventry, with a view to the applying of this our seal, in the third day of the month of August in the year of the Lord 1422.



From a Drawing by the late Miss Hibbert-Ware.

Sigillum Sancte Marie de Coventre.

§ 3. THE INFEFTMENT OF THOMAS, LORD LA WARRE, OF FIVE MESSUAGES AND TEN ACRES OF LAND WITH THEIR APPURTENANCES IN MANCHESTER, ALPORT, GORTON AND HETON, ALSO THE ADVOWSON OF THE CHURCH OF MANCHESTER, TO CERTAIN FEOFFEEES, THE BISHOP OF DURHAM AND OTHERS, FOR THE USE OF THE COLLEGE.—DATED 8TH OF NOVEMBER, 1422.

We learn from this deed, that Thomas la Warre demised and surrendered the whole estate which he had in certain messuages of land, as well as the advowson of the church of Manchester, to certain feoffees, the bishop of Durham and others, whereby all his interest as patron was intended to be alienated from his successors in the lordship of Manchester, to the proper and perpetual use of the newly founded college, so that the warden and fellows might become perpetual parsons, and have perpetual institution and induction.

The temporal possessions thus accruing to the college would consist of,

First,—The carucate of land in Kirkman's Hulme, granted to the church of Manchester anterior to the Conquest;

Secondly,—A glebe of land in Deansgate, known by the name of the Parsonage, gifted by a Greslet.—To these there was now added,

Thirdly,—An acre and thirty-four perches of land, named the Baron's Hull and Baron's Yard, it being intended that the baronial mansion there situated, should furnish accommodation for the warden and fellows of the college, who, agreeably to the statutes drawn up for the government of the same, might thus dwell together. The boundary of this site is described as commencing from the foot of a "lode," or way [an old English term from the A. S. *la'd*, significant of *a conducting*], on the bank of the Irk, which may be referred to the ancient lane now known by the name of "Mill Brow." The boundary then took a southerly direction of the present Long Millgate, as far as the angle formed by the intersection of a narrow road stretching east and west, named a "Vennel," now corrupted into Fennel-street. Near this angle may be supposed to have stood the mansion or "place," described as belonging to Ralph Staneley, knight. The boundary line, in quitting this point, was diverted in a direction from east to west, parallel with the present Collegiate Church, as far as "the Bull Oke," situated on the south of "the Hunt Hull," or Hill, now Hunt's-bank. This bull oak, to which, according to ancient usage, bulls were fastened for the purpose of being baited, or hunted by dogs before they were slaughtered, might very possibly have imparted the name

which the surrounding ground bore of "the Hunt Hull." From the Bull Oak the boundary line descended in a northerly direction by the Hunt Hull, or present Hunt's-bank, until the bridge of the Irk was reached, near the confluence of the Irk and the Irwell. It was then conducted eastward along the ascent of the middle of the channel of the Irk, until the starting place at Mill-brow, named "the Lode," was regained;

Fourthly,—Another gift of Thomas, Lord la Warre, consisted of ten perches of land between "the place" of Ralph Staneley, knight, and the Bull Oak, which land appears to have formed an intermediate space of ground, north of the present Collegiate Church;

Fifthly,—The next bequest, added to the endowments of the college, was eight and a half acres of land and thirteen perches lying in Nether Alport. The boundaries of the same are very minutely given, but it would be rather difficult to identify them at the present day. The site may be generally described as forming a margin of land between the Irwell and an ancient road (the present Water-street) leading to Old Trafford, which bank was intended to command a fishery for the use of the inmates of the college.

Sixthly,—There is a messuage mentioned as having been gifted, containing the trifling quantity of eleven and a half perches of land, situated at Gorton Green; while

Seventhly,—Another messuage of the same extent was at Heton. It has been conjectured that these two last gifts were incidental to one or two chapels of ease which had been built for the accommodation of the more distant parishioners of Manchester.

Such were the lands and messuages at present in possession of the college of Manchester, the chief being the carucate contributed by an unknown Saxon thane and benefactor, in comparison with which the subsequent lands given by a Greslet and by Thomas, Lord la Warre, were very insignificant. The great value of the present endowment consisted in the surrender of an advowson, which for centuries had been abused, to the vital injury of the best interests of Holy Church.

¹ Omnibus Christi fidelibus hoc scriptum visuris ¹
vel audituris Thomas la Warre Dominus la Warre
salutem in Domino

Cum teneam quinque messuagia et decem acras
terre cum pertinenciis in Mamcestre Gorton et
Heton ut ²parcellam manerii de Mamcestre vide-
licet

Unum messuagium cum pertinenciis in Mamces-
tre cum una acra et triginta et quatuor particatis

- terre vocatis le Baronshull et Baronsyarde jacentibus infra has divisas ³ videlicet incipiendo in pede communis lode ad ripam cujusdam aque vocate Irke juxta burgagium magistri Johannis Wrightyngton et sic ascendendo per predictum lode usque ⁴ burgagium Roberti filii Johannis de Holte ⁴ et sic per idem burgagium ascendendo per unum burgagium Laurencii de Hulme et per communem furnum ville de Mamcestre quem Johannes Chaloner de Mamcestre tenet et sic per unum aliud burgagium ⁵ predicti Laurencii et per novam placeam nuper Radulphi de Staneley militis usque le Bulle oke et sic a dicto Bulle oke descendendo per le Hunt Hull quem Edmundus Parker tenet usque medium ⁶ predictae ⁶ aque de Irke juxta quandam pontem vocatum Irke Brygge et sic semper ascendendo per medium aque predictae de Irke usque in pedem predicti lode qui erat prima bunda
- ⁷ Decem particatas terre se ⁷ extendentes a predicto Bull oke usque ostium boreale dictae ecclesie de Mamcestre jacentes inter dictum Bull oke et predictam placeam Radulphi de Staneley
- Et octo acras terre et dimidium et tresdecim ⁸ particatas terre in Nethir Aldeporte jacentes infra has divisas videlicet incipiendo ad finem cujusdam sepis que incipit super ripam aque de Irwell versus occidentem et sic sequendo ⁹ dictam sepem per fines cujusdam campi vocati les accres versus orientem usque in altam viam que ducit de Mamcestre usque Trafforde et sic sequendo dictam altam viam versus austrum ad latitudinem ¹⁰ unius particate terre et dimidii et exinde descendendo versus occidentem semper in eadem latitudine usque in oppositum cujusdam forere dicti campi vocati les accres que ¹¹ abutatur versus austrum ¹¹ et exinde angulando versus austrum directe ad latitudinem dimidii particate terre et ab ipso angulo descendendo ex transverso versus occidentem usque dictam aquam de Irwell ¹² ex opposito ¹² finis borealis terre Edmundi de Prestewych jacentis ex parte occidentali ejusdem aque et sic ascendendo predictam aquam de Irwell usque in finem sepis predictae que erat prima bunda.
- ¹³ Et unum ¹³ messuagium cum pertinenciis in Gorton cum terra adjacente continente undecim particatas terre et dimidium jacente in quodam loco vocato Gorton Grene inter tenuram Johannis ¹⁴ Bageley senioris ex ¹⁴ parte orientali et quandam portam qua itur a dicto Gorton Grene usque Redich ex parte australi
- Ac unum aliud messuagium in Heton cum terra ¹⁵ adjacente continente undecim particatas ¹⁵ terre et dimidium jacente inter terram in tenura Willielmi Hanson de Heton ex parte occidentali australi et orientali et communem viam ibidem ex parte boreali.

Necnon advocacionem ecclesie ¹⁶ de Mamcestre ¹⁶ pro termino vite mee ex dimisione Thome Episcopi Dunelmensis Johannis Heneye Ricardi Lumbard nuper persone ecclesie de Holteham et Ricardi Ffryth reversione inde predictis Episcopo Johanni ¹⁷ Ricardo et Ricardo et heredibus suis spectante ¹⁷

Noueritis me prefatum Thomam la Warre totum statum et possessionem quos habeo in predictis messuagiis terris et advocacione cum suis pertinentiis prefatis ¹⁸ Episcopo Johanni Ricardo et Ricardo ¹⁸ dimississe et sursum reddidisse et totum jus meum et clameum que habeo in eisdem prefatis Episcopo Johanni Ricardo et Ricardo remississe et relaxasse habenda sibi heredibus et ¹⁹ assignatis suis imperpetuum.

In cujus rei testimonium huic presenti scripto sigillum meum apposui

Datum octavo die Novembris anno regni Regis Henrici sexti post conquestum primo



TRANSLATION.

To all the faithful of Christ who shall see or hear this writing Thomas la Warre, Lord la Warre, health in the Lord.

Whereas I hold five messuages and ten acres of land with appurtenances in Manchester, Gorton and Heton, as a parcel of the manor of Manchester, to wit,

One messuage with its appurtenances in Manchester, along with one acre and thirty and four perches of land called Baronshull and Baronsyarde lying between these divisions [or boundaries], to wit, in beginning at the foot of a common lode [way] at the brink of a certain water named Irke near the burgage of Master John Wrightyngton, and thus in ascending by the beforesaid lode as far as a burgage of Robert the son of John of Holt, and thus by the same burgage in ascending by a burgage of Laurence de Hulme and by the common oven of the town of Manchester which John Chaloner of Manchester holds, and so by another burgage of the aforesaid Laurence, and by a new place late of Ralph Staneley, knight, as far as the Bulle oke and

so from the said Bulle oke in descending by the Hunt Hull, which Edmund Parker holds, as far as the middle of the aforesaid water of Yrke near a certain bridge named Irke Brygge, and thus in always ascending by the middle of the water aforesaid of Yrke as far as the foot of the aforesaid lode, which was the first boundary ;

Ten perches of land extending themselves from the beforesaid Bull oke as far as the northern porch of the said church of Manchester lying between the said Bull oke and the beforesaid place of Ralph of Staneley ;

And eight acres of land and a half and thirteen perches of land lying in Nether Aldeporte between these divisions, to wit : In beginning at the border of a certain hedge which commences upon the bank of the water of Irwell towards the west, and thus, in following the said hedge along the limits of a certain field, named les Accres, towards the east as far as into the highway which leads from Manchester to Trafforde, and, thus, in following the said highway towards the south about the breadth of a perch and a half of land, and, thence, in descending towards the west, always about the same breadth, as far as reaching opposite to a certain forere [headland] of the said field, called les accres, which abuts towards the south, and from thence in making an angle directly towards the south about the width of half a perch of land, and from that angle in descending athwart towards the west as far as the said water of Irwell over-against the northern boundary of the land of Edmund de Prestewych, lying on the western side of the same water, and, thus, in ascending the beforesaid water of Irwell as far as the end of the beforesaid hedge, which was the first boundary ;—

And a messuage with appurtenances in Gorton, with the land adjacent containing eleven perches of land and a half lying in a certain place named Gorton Grene, between the tenure of John Bageley the elder on the eastern side, and a certain outlet which leads from the said Gorton Grene as far as Redich on the southern side :

And a certain other messuage in Heton with the land adjacent containing eleven perches of land and a half lying between the land in the tenure of William Hanson of Heton on the western, southern and east side, and the common way in the same place on the northern side :

Also the advowson of the church of Manchester for the term of my life according to the demise of Thomas Bishop of Durham, John Heneg, Richard Lumbard, late parson of the church of Holteham, and of Richard Ffryth, by reversion thenceforth in favour of the beforesaid Bishop, John, Richard and Richard and their heirs :

Know ye that I, the aforesaid Thomas la Warre, have demised and surrendered the whole estate and possession which I have in the beforesaid messuages of land and in the advowson with its appurtenances to the beforesaid Bishop, John, Richard and Richard, and that I have remitted and released all my right and claim which I have in the same to the beforesaid Bishop, John, Richard, and Richard, to hold to them, their heirs and assigns for ever.

In testimony of which I have placed my seal to the present.

Given in the eighth day of November in first the year of King Henry the sixth after the conquest.

§ 4. THE PRESENTATION AND INSTITUTION OF JOHN HUNTYNGDON, BACHELOR IN DECREES, TO THE OFFICE OF MASTER, OR WARDEN, OF THE COLLEGE OF MANCHESTER.

During this part of the proceedings, we are again introduced to John Huntynghdon, who has been described as rector of the parish church of Assheton, the date of whose presentation to this living is unknown. In having been appointed by the prior and chapter of Coventry, procurator for the purpose of carrying on the process of foundation in Manchester, much scope had been given to his exertions in promoting the objects of his munificent patron Thomas, Lord la Warre, with whom he was evidently much allied in bonds of friendship. For this excellent churchman the proposed wardenship of the college of Manchester was destined. The letter of presentation, addressed to the bishop of Coventry and Lichfield, I owe to a kind friend, by whom it was copied from the archives of Lichfield Cathedral.

In this document, dated at Swineshead on the 23rd of November, 1422, and addressed to the bishop of Coventry and Lichfield, Thomas la Warre urges that the right of presenting the warden, the fellows, and choristers of the college, was secured to him by its constitution as the last rector, and, of late, the true canonical possessor of the church, who had legally demised the same. Being desirous, therefore, that the foundation should preserve a due relation towards the collegiated church, he presents Master John Huntynghdon, chaplain, bachelor in decrees, to the office of master, or warden of the college, supplicating for him a canonical institution conformably to the statutes, &c., of the college, and, upon the oath being administered, an induction into corporal possession, and that the oath, agreeably to the collegiate ordinances, &c., be recorded in the registry of the bishopric.

LETTER OF PRESENTATION FROM THOMAS LA WARRE, CLERK.

Reverendo in Christo patri ac domino domino Willielmo deo gracia Coventrensi et Lichfeldensi episcopo Thomas la Warre clericus omnimodo reverencia et honore debitis tanto viro Cum ex certis[*causis, vel forsitan premissis*] piis et rationabilibus ac ad divini cultus augmentum sit ecclesia parochialis de Mamcestre vestre diocesis in ecclesiam collegiatam erecta et ibidem unum collegium de uno magistro sive custode capellano et octo sociis capellanis quatuor clericis et sex choristis Deo ibidem perpetuo serviturus in dictis factum fundatum et stabilitum nonnullaque statuta et ordinationes justa et rationabilia fuerint et sint facta ex quibus fundacione statutis et ordinatione collegii jus presentandi predictum magistrum sive custodem capellanum ceterosque socios capellanos ac clericos et choristos predictos omnes et singulos juxta formam fundacionis ac statutorum et ordinationum predictorum michi Thome la Warre quo ad modo attribuitur datur et pertinet solum et in solidum pleno jure fferit que dicta ecclesia per me nuper ultimum rectorem et canonicum possessorem ejusdem verum pre^{nto} [*pre notario*] consulta dimissa [*est*]

Volensque Thomas la Warre predictus dictam ereccionem, fundacionem ac ordinationes et statuta prefati collegii debitum in omnibus...debere effectum ad ecclesiam collegiatam predictam et ad officium magistri sive custodis ejusdem dilectum michi in Christo magistrum Johannem Huntynghdon capellanum in decretis baccalaureum vestre paternitati reverende tenore presencium presento.

Attente supplicans et devote quatenus ipsius magistri Johannis Huntynghdon ad dictam ecclesiam collegiatam de Mamcestre ut prefertur erectam et fundatam et ad officium magistri sive custodis ejusdem juxta vim formam et effectum fundacionis ac ordinationis et statutorum collegii predicti admittere et canonice instituere in eodem ac recepto juramento ab ipso magistro Johanne de observando statuta et ordinationes collegii predicti in corporalem possessionem ejusdem inducere plenamque mencionem de juramento hujus modi in..... [*eisdem secundum*] institutionem ipsius magistri Johannis vestroque registerio fieri et conservi facere ceteraque peragere que in hac parte vestro incumbunt officio pastoralis dignetur vestre paternitati venerabili pro deo intuitu caritatis

In cujus rei testimonium presentibus sigillum meum apposui

Datum in manerio meo de Swynesheued vicesimo tertio die Novembris anno domini millesimo quadringentesimo vicesimo secundo

TRANSLATION.

To the reverend father and lord-in Christ, the Lord William, by the grace of God Bishop of Coventry and Lichfield, Thomas la Warre, Clerk, with all the possible reverence and honour due to so great a man,

Whereas from certain pious and rational [*causes, or perhaps premises*] and towards the augment of divine worship, the parochial church of Manchester of your diocese is erected into a collegiated church, and, in the same place, a college made, founded and established [consisting] of one master, or warden, (a chaplain), and eight fellows, (chaplains), four clerks and six choristers, there to serve God perpetually in the same: also certain just and reasonable statutes and ordinances have been and are made, from which foundation, statutes and ordinance of the college, the right of presenting the aforesaid master, or warden, (a chaplain), and other fellows, (chaplains), and clerks and choristers aforesaid all and singular, agreeably to the form of the foundation, and of the statutes and ordinances aforesaid, is assigned, given and belongs to me Thomas la Warre alone, and would have been wholly by a full right, only that the said church by a procedure before the notary was released by me, of late the last rector, and the true canonical possessor of the same.

And I, the aforesaid Thomas la Warre, being desirous that the said erection, foundation and ordinances and statutes of the said college should acknowledge a due effectiveness in all things towards the said collegiated church, and towards the office of the master or warden of the same, do, by the tenor of these presents, present Master John Huntynghdon, Chaplain, Bachelor in decrees to your reverend Fathership, attentively and devoutly supplicating, inasmuch as your venerable fathership may vouchsafe by reason of a regard in God of the high value of John Huntynghdon himself, to admit to the said collegiated church of Manchester (as is before declared) erected and founded, and to the office of master, or warden, of the same, according to the power, form, and effect of the foundation, and ordination, and statutes of the aforesaid college, and to canonically institute in the same, and, upon the oath being taken by the same master, John, concerning the observance of the statutes and the ordinances of the aforesaid college, to induct in corporal possession of the same, and to cause to be made and preserved in your registry a full mention of such an oath [*in the same, according to*] the institution of Master John himself, and to perfect other things, which, in this behalf, are incumbent upon your pastoral duty.

In testimony of which I have appended my seal to these presents. Dated in my manor of Swynsheued on the twenty third day of November in the fourteen hundredth and twenty second year of the Lord.

The entry of John Huntynghdon's presentation to the wardenship of the Manchester college is recorded in the subjoined manner, in an extract made by the Holmeses from the Lichfield cartulary :

p. 167. b. Lib viij 1430. fol iij

Presentatio ad Custodiam Collegii de Manchester in collegium de novo erect.

Thomas la Warre 23^o Novembris 1422

Willielmus Coventrensis et Lichfeldensis
Episcopus

The institution of John Huntynghdon to the wardenship is dated two days afterwards :

Fol 112

Institutio dicti Collegii ad officium magistri sive Custodis de Manchester

Dilecti in Xto Johannis Huntynghdon [m in MS.] in Decretis Baccalaurei.

§ 5. THE DEED BY WHICH THOMAS LA WARRE'S FEOFFEEES, THE BISHOP OF DURHAM AND OTHERS, CONFIRM TO JOHN HUNTYNGDON, WARDEN, AND TO THE FELLOWS OF THE COLLEGE OF MANCHESTER, CERTAIN LANDS IN MANCHESTER, ALPORT, GORTON AND HETON, AND THE ADVOWSON OF THE CHURCH OF MANCHESTER, FOR THE PERPETUAL USE OF THE SAID COLLEGE.—DATED 14TH OF DECEMBER, 1422.

¹ Omnibus Christi fidelibus hoc scriptum visuris vel auditoris Thomas Episcopus Dunelmensis Johannes Henege Ricardus Lumbard nuper persona ecclesie de Holtham et Ricardus Ffryth

² salutem in domino sempiternam Cum ecclesia de ² Mamcestre in comitatu Lancastrie in ecclesiam collegiatam licencia regia super hoc optenta sit erecta et de et in eadem ecclesia quoddam ³ collegium de uno magistro siue custode capellano et de octo suis sociis capellanis et aliis ministris comitantibus fundatum et stabilitum existat

Noueritis nos predictos Episcopum Johannem ⁴ Ricardum et Ricardum pretextu et virtute licencie regie predictae dedisse concessisse et hac presenti carta nostra confirmasse Johanni Huntynghdon Capellano magistro siue custodi collegii predicti ⁵ et sociis suis capellanis ejusdem collegii quinque messuagia et decem acras terre cum pertinentiis in Mamcestre Gorton et Heton que sunt parcella manerii de Mamcestre videlicet

Unum ⁶ messuagium cum pertinentiis in Mamcestre cum una acra et

* * * * *

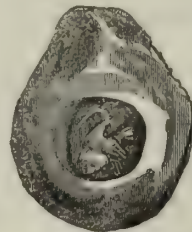
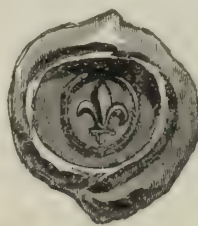
[Here follows a rehearsal, in about thirteen lines of manuscript, of all the lands and messuages, in the same words as appear in pages 170 and 171.]

Necnon advocacionem dicte ecclesie de Mamcestre habendam et tenendam eisdem ²⁰ magistro siue custodi et sociis suis capellanis ejusdem collegii et successoribus suis de domino nostro rege et heredibus suis ut de dicto comitatu suo palatino Lancastrie per servicia ²¹ inde debita et consueta in subvencionem sustentacionis sue ac aliorum ministrorum dicti collegii imperpetuum

In cujus rei testimonium huic presenti scripto sigilla nostra apposuimus

Hiis testibus Johanne de ²² Pilkington et Johanne le Buron Ricardo de Langford Edmundo de Trafford Johanne de Radclyffe de Ordessale Jacobo Strangways Radulpho de Prestwich et aliis

Datum quarto decimo ²³ die Decembris anno ²³ regni metuendissimi domini nostri regis Henrici sexti post conquestum primo



Four seals are appended, the second of which is destroyed, but it is presumed to have been similar to the lesser seal figured in page 176.

TRANSLATION.

To all the faithful of Christ who shall see or hear this writing, Thomas Bishop of Durham, John Henegge, Richard Lumbard late parson of the church of Holtham, and Richard Ffryth, sempiternal health in the Lord :

Whereas the church of Manchester in the county of Lancaster, by a royal license obtained for this purpose, has been erected into a collegiate church, and belonging to and in the same church a certain college exists founded and established, [consisting] of one master or warden, a chaplain, and of his eight fellows, chaplains, and of other accompanying ministers,

Know ye, that we the aforesaid Bishop, John, Richard and Richard, by pretext and virtue of a royal license aforesaid, have given, granted, and by this our present charter have confirmed to John Huntyngdon, Chaplain, the master or warden of the beforesaid college, and to his fellows, chaplains of the same college, five messuages and ten acres of land with appurtenances in Manchester, Gorton and Heton, which are parcells of the manor of Manchester, to wit,

One messuage * * * *

[Here follows a rehearsal of all the lands and messuages, as given in the translation of pages 171 and 172.]

Also the advowson of the said church of Manchester to have and to hold to the same master, or warden, and his fellows, the chaplains of the same college, and his successors, from the lord our king and his heirs as of the said his county palatine of Lancaster, by services thence due and accustomed in aid of his [the warden's] support and of the other ministers of the said college for ever.

In testimony of which we have appended our seals to the present writing

These witnesses [being present] John of Pilkington, and John le Buron, Richard de Langford, Edmund de Trafford, John of Radclyffe of Ordesale, James Strangways, Ralph of Prestwich, and others.

Dated in the fourteenth day of December in the first year of the most redoubtable lord, our King, Henry, the sixth after the conquest.

REMARKS ON THE FOREGOING DOCUMENT.

The foregoing is a document regarding which some remarks may be made, touching the absolute manner in which the co-trustees under the infetment of Thomas la Warre, assign over the advowson of the parish church of Manchester, to have and to hold to the warden of the college, and his fellows, the chaplains, and their successors,

from the lord the king, and from his heirs, as from the county palatine of Lancaster, by services thence due and accustomed, in aid of the support of the warden and of the other ministers of the said college, for ever.

From this clause we naturally infer, that when Thomas, Lord la Warre, presented John Huntyngdon to the wardenship, this presentation was the last which he intended to have been exercised by the ancient patrons of the parochial church of Manchester. With this object in view, the advowson would be alienated for ever from his successors, in support of the college of Manchester.

The same clause also shews that an appropriation,—such as the lawyers describe as a perfect one,—was meditated. The definition given of an appropriation is as follows :—

“Appropriation is the annexing of a benefice to the proper and perpetual use of some religious house, bishopric, college, or spiritual person to enjoy for ever, and when appropriation is made, the patron is perpetual parson, and hath perpetual institution and induction, for the appropriation alone is a sufficient admission.—

“If after an appropriation a clerk is presented to the bishop, and instituted and inducted, the benefice returns to its proper nature, and the appropriation is dissolved.

“If a feme endowed of an advowson appropriate presents to it, the appropriation is dissolved.

“If a man recovers the advowson in writ of right, this disappropriates the church, and dissolution of the spiritual corporation disappropriates an appropriation.”

[From Plowden, as quoted by Jacob in ed. of 1744.]

I have pointed out this view of lawyers for no other reason, than to prepare the reader for the fact, which will be elucidated in the second book of this supplemental history, that the West family, the successors of Thomas, Lord la Warre, actually exercised the right of presenting to the wardenship of the Manchester college, so late as the reformation, and that when a renewed charter of Philip and Mary refounded the college, the right of presentation was transferred to the crown.

The cause of this resumption of the privilege of presenting, which, according to the maxim of the law, “disappropriates an appropriation,” is not to be explained by any historical document to which I have hitherto had access. As no copy of the internal regulations of the college of this date has yet been discovered, we have no light thrown from such a source upon so conflicting an anomaly. Neither are we warranted in saying, that the presentation of the warden was in virtue of some later privilege obtained from the crown. A great

laxity of ecclesiastical discipline had long prevailed in the church, and to this cause, more perhaps than to any other, an illegal enjoyment of the advowson might have been attributable.

Yet it is evident, that although a limited degree of patronage, confined to the presentation of the warden alone, might have been regained, the power of inflicting upon the parish its former evils was corrected for ever. A compact collegiate body would be too methodical and unmanageable to be easily diverted from parochial duties at the beck of some worldly-minded patron, who, amidst the general ignorance of the laity, might stand in need of learned clerks to administer to the secular concerns of his castle, or estates. It is perhaps for some such reason as this, that in the collegiating of parish churches of a date later than that of the Manchester foundation, as in the instance of Middleham in Yorkshire, a right of presentation was still allowed to the lay patron,—but in such a case the appropriation must have been evidently incomplete.

These are all the remarks suggested on the present occasion. Further discoveries of ancient documents may still shew in what manner the appropriation made by Thomas, Lord la Warre, had actually degenerated, during the manorial sway of the Wests, from a complete to an incomplete state.

§ 6. THE LETTER OF ATTORNEY ADDRESSED BY THOMAS LA WARRE'S FEOFEEES, AUTHORISING RALPH BULKELEY AND LAWRENCE HULME TO SURRENDER CERTAIN LANDS AND THE ADVOWSON TO JOHN HUNTYNGDON, WARDEN, AND THE FELLOWS OF THE COLLEGE.—DATED 14TH OF DECEMBER, 1422.

- ¹ Pateat universes per presentes quod nos Thomas Episcopus Dunelmensis Johannes Henege Ricardus Lumbard nuper persona ecclesie de Holtham et Ricardus Ffryth attornamentum constituimus et
² loco nostro ²posuimus dilectos nobis in Christo Radulphum Bulkeley et Laurencium Hulme Attornatos nostros ad deliberandum nomine nostro Johanni Huntyngdon capellano magistro sive custodi collegii beate ³marie de Mamcestre et sociis suis capellanis ejusdem collegii plenam seisinam de et in

Uno messuagio cum pertinenciis in Mamcestre cum una acra et * * * *

[Here follows a rehearsal of the lands, as given in pages 171 and 172.]

- ¹⁸ Necnon advocacione ¹⁸dicte ecclesie de Mamcestre juxta tenorem cujusdam carte nostre eisdem

magistro et sociis inde confectum ratum habiturum et stabilitum quicquid iidem attornatus nostri fecerint in premissis

In ejus rei testimonium ¹⁹nium presentibus sigilla ¹⁹nostra apposuimus

Datum quartodecimo die Decembris anno regni metuendissimi domini nostri regis Henrici sexti post conquestum primo

TRANSLATION.

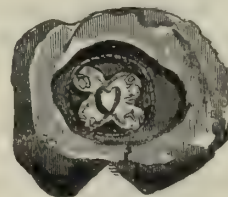
Be it known to all men by these presents that we Thomas the Bishop of Durham, John Henege, Richard Lumbard, late parson of the church of Holtham, and Richard Ffryth, have constituted an attornement, and in our place have appointed the beloved to us in Christ Ralph Bulkeley and Lawrence Hulme our attornies to deliver in our name to John Huntyngdon, chaplain, master or warden of the College of the blessed Mary of Mamcestre and to his fellows chaplains of the same college the full seizure of and in a certain messuage with its appurtenances in Manchester, along with one acre and thirty and four perches of land * * *

[Here follows a rehearsal of the lands, &c., demised, in the words of the preceding document, pages 171 and 172.]

Also [of and in] the advowson of the said church of Manchester according to the tenor of a certain deed of ours to the same master and fellows thereupon made, to hold valid and established whatever the same our attornies shall do in the premises.

In testimony of which we have affixed our seals to these presents

Dated in the fourteenth day of December in the first year of the reign of our most redoubtable Lord, the King Henry, the sixth after the conquest.



Two other seals are added, being the same as the two lesser ones of page 174.

§ 7. A SECOND DEED OF CONFIRMATION, BY DAVID PRYCE, ARCHDEACON OF CHESTER, OF THE CHARTER OF FOUNDATION, WITH AN APPROVAL OF WHAT HIS PREDECESSOR, HENRY HALSHALL, HAD DONE.—DATED 25TH OF JUNE, 1423.

This confirmation by David Pryce, archdeacon of Chester, is a second one [see page 168], the reason of which is unexplained. The document is a specimen of the very worst iterative, and circum-bendibus style of lawyers. Its drift is to hint, that in the collegiating of the parish church of Manchester, many good things were likely to accrue to the archidiaconal interest of Chester, in lieu of the damage which might be sustained by the erection of a college:—that, in consenting to the same, an annual pension of twenty shillings became obligatory as an indemnity in full for any loss of jurisdiction and interest in the archdeaconry;—that the jurisdiction and the power in wills would require to be reserved, as well as the administration of goods in the case of such intestate persons as should die within the precincts of the proposed college.

¹ ¹ Universis et singulis pateat per presentes quod cum nuper venerabilis vir magister Henricus Halshall Archidiaconus Cestrie dum vixit ad interres-
²sendum et comparendum ²in ereccione ecclesie pro tunc parochialis de Mamcestre in ecclesiam collegiatam per reverendum in Christo patrem et dominum dominum Willielmum Dei gracia Couentrensem et Lichfeldensem episcopum auctoritate
³ipsius reverendi patris ordinaria facta propter interesse ipsius magistri et juris sui Archidiaconalis indemnitatem legitime euocatus sufficienter comparuisset. suosque ⁴assensum et consensum hujusmodi ereccioni ac ceteris in ea parte circa ereccionem ipsam habitis et gestis pro se et successoribus suis Archidiaconis Cestrie predictis prebuisset et
⁵subsequenter fidem et testimonium super consensu et assensu hujus per suas literas et sigillum morte paulo post preventus facere aut perhibere non potuisset

⁶ Nos ⁶David Pryce Archidiaconus Cestrie in ecclesia Lichfeldensi infra cujus Archidiaconatus ambitum dicta ecclesia de Mamcestre notorie consistit prefato magistro Henrico Halshall ⁷in dicto Archidiaconatu Cestrie immediate succedentes premissa considerantes ac perpendentes ereccionem ipsam de qua premittitur in augmentationem tendere divini cultus ⁸multaque bona alia ex ipsa ereccione evenire nobis coram et successoribus nostris Archidiaconis Cestrie futuris pro dampnis que circa jura nostra Archidiaconalia occasione dicte

⁹ereccionis sustiniremus et sustinirentur sufficienter ⁹per prefatum reuerendum patrem in dicte ereccionis actu provisa et compensata omnia et singula per prefatum ¹⁰venerabilem virum magistrum Henricum Archidiaconum memoratum predeces-
sorem nostrum cura ereccionis predictum habita acta et gesta approbamus, gratificamus, ratificamus ¹¹et confirmamus pro nobis et successoribus nostris Archidiaconis Cestrie quibuscunque futuris Et ex habundanti ereccionem predictam pro nobis et successoribus nostris ¹²predictis admittimus et acceptamus et ad validacionem et corroboracionem perpetuas ejusdem et omnium actorum circa eandem eidem et eisdem pro nobis et successoribus ¹³nostris predictis nostros consensum et assensum denuo adhibemus et eisdem consentimus per presentes prefatis ereccioni ac decreto ceterisque gestis per predictum reuerendum patrem ¹⁴dominum Episcopum Couentrensem et Lichfeldensem antedictum in hac parte affixas.

Salva semper nobis et successoribus nostris Archidiaconis Cestrie pensione annua viginti solidorum ¹⁵superius in decreto per dominum reuerendum patrem limitata et assignata quam pro nobis et successoribus nostris Archidiaconis Cestrie futuris nostrisque ministris quibuscunque ¹⁶ac ¹⁶archidiaconatu nostro predicto in recompensacionem omnimodis juris jurisdictionis et interesse Archidiaconatui nobis seu successoribus nostris Archidiaconis Cestrie nostrisque ¹⁷ministris ut ¹⁷premittitur quibuscunque in dicta ecclesia collegiata seu personis ejusdem qualitercunque competentium admittimus et acceptamus et eidem pensioni ¹⁸nomine indemnitatis in recompensacionem juris jurisdictionis et interesse quorumcunque Archidiaconalium ut premittitur per nos et successores nostros Archidiaconos Cestrie ¹⁹nostrosque ministros ut premittitur quoscunque percipiende consentimus per presentes

Jurisdiccione quoque et potestate in testamentis et in administracionibus bonorum ²⁰ab intestatis in dicto collegio decedencium quorumcunque et cura ea exercendi nobis et successoribus Archidiaconis Cestrie in omnibus semper saluis pariter reservatis

In cujus rei testimonium sigillum meum presentibus est appensum.

Datum in Ecclesia Lychfeldensi vicesimo quinto die Junii anno millesimo quadringentesimo vicesimo tercio.

TRANSLATION.

To all and singular be it known by [these] presents that whereas lately the venerable man Master Henry Halshall, Archdeacon of Chester,

while he lived, having been lawfully summoned, had sufficiently appeared to take part in and be present, in the erection of a church, at that time parochial of Manchester, into a collegiated church, by the reverend father and lord in Christ, the Lord William, by the grace of God, Bishop of Coventry and Lichfield, with the ordinary authority of the reverend father himself used on account of the indemnity of the interest of the master himself and of his archidiaconal right—and had yielded his assent and consent to such an erection and to other things in this behalf obtained and carried on for himself and for his successors the Archdeacons of Chester aforesaid, touching this erection,—and had subsequently not been enabled to fulfil or to affirm [his] faith and testimony upon his consent and assent by his letters and seal, having a little while afterwards been prevented by death,

We David Pryce, Archdeacon of Chester in the church of Lichfield, within the compass of whose archdeaconry the said church of Manchester is notoriously situate, immediately succeeding to the aforesaid Master Henry Halshall in the said archdeaconry of Chester, in considering the premises and in well weighing this erection, regarding which it is premised that it meditates an augmentation of divine worship, and that from this same erection many other good things result in respect of us and of our successors, the future archdeacons of Chester, in lieu of the injuries which, as regards our Archidiaconal rights, we should sustain and would be sustained by occasion of the said erection, [these] having been sufficiently provided for and compensated by the before said reverend father while engaged in the said erection,—[we] do approve, hold acceptable, ratify and confirm for us and our successors, the future Archdeacons of Chester, whomsoever they may be, all and singular the things managed, performed and carried on by the aforesaid venerable man, Master Henry, Archdeacon, our memorable predecessor in the care of the erection aforesaid.

And moreover, for us and for our aforesaid successors we admit and accept the aforesaid erection,—and, for ourselves and our successors aforesaid, towards the perpetual validation and corroboration of the same and all the acts concerning the same, we lastly attach our consent and assent to the same act and acts, and we consent by the presents affixed in this behalf to the same the aforesaid erection and decree, and to other things carried on by the aforesaid reverend father the Lord Bishop of Lichfield and Coventry aforesaid.

Save always to us and to our successors the Archdeacons of Chester an annual pension of

twenty shillings, over and above limited and assigned in a decree by the Lord the reverend father, which we admit and accept for us and for our successors the future Archdeacons of Chester and our ministers whomsoever they may be, and for our Archdeaconry aforesaid, in recompense altogether of the right, jurisdiction and interest competent to the Archdeaconry, to us or to our successors the Archdeacons of Chester, and to our ministers, as is premised, whomsoever they may be in the said collegiated church, or to the parsons of the same, whomsoever they may be:—and to the same pension, under the name of an indemnity, in recompense of the archidiaconal right, jurisdiction and interest, whatsoever they may be, as is premised, to be possessed by us and our successors, the Archdeacons of Chester, and by our ministers, as is premised, whomsoever they may be, we consent by these presents:

Save also always in all things the jurisdiction and the power in wills and in the administration of goods lapsing from intestate persons in the said college, whatsoever they may be, and the care of administering those things, [such] being in like manner reserved to us and our successors, the Archdeacons of Chester.

In testimony of which my seal to these presents has been appended.

Dated in the church of Lichfield on the 25th day of June, 1423.



From a drawing by the late Miss Hibbert-Ware.

Sigillum Magistri Davidis Pryce Archidiaconi Cestrie.

CHAPTER XIV.

WAS THE PAPAL CONSENT, OR CONFIRMATION,
EVER OBTAINED FOR THE COLLEGIATING
OF THE PARISH CHURCH OF MANCHESTER?

No document calculated to throw any material light upon this question has hitherto been discovered.

If any papal consent, or confirmation, did exist in the muniment chest of the chapter house of Manchester, expressive of the approbation of the holy see to the collegiating of the church of the parish, it would inevitably have been destroyed during the puritanic fervour which so long swayed the councils of the capitular body. In every document which I have yet examined, the very name of pope has been erased from the scroll on which it might have appeared.

It has been often argued, that the confirmation of the holy see to any appropriation would be judged necessary.—Of this, however, there may be some doubt. The commencement of the fifteenth century was a period when the papal influence was fast declining, and when all questions appertaining to the temporalities of the church, and, in an especial manner, to benefices and the rights of patrons, were regarded by the laity with extreme jealousy. No doubt if the papal sanction had been deemed absolutely essential, regarding which the foundation charter of Manchester gives no information, it would have been obtained through the representation and influence of Cardinal Langley. But in all the documents which I have examined, I can find no allusion made to the pope farther than to the date of his pontificate,—a custom which was observed in most ecclesiastical charters. There is a Richard Hadelsay, clerk of York, who states that by the authority of the pope he was public notary to the premises all and singular.—[See page 159.] This was also a common form in use, which might or might not be in allusion to any papal bull actually issued in approbation or confirmation of the collegiating process;—or it might be simply expressive of the fact, that nothing had been done hostile to the general interests of the holy see.

It must be recollected also, that the patrons of benefices, on the score of their rights having been invaded by papal provisions, were, during three centuries, the most irreconcilable enemies to the influence in England of the Roman see. Hence, when the collegiating of the parish church of Manchester was suggested to the mind of Thomas, Lord la Warre, by the corrupt practices of his ancestors, patrons of the benefice, we can readily understand why the measure should have met with no opposition from the pope, and why the bishop

of Durham, a cardinal, should have so actively bestirred himself in the anti-patronal measure. And, if a direct assent had been withheld by the sovereign pontiff, which was perhaps the case, it might have owed its cause to a feeling of delicacy originating from the reflection, that if a public bull had been issued, it would have been attributed less to spiritual than to worldly motives of resentment.

The Lollards, in the meantime, were not slow in explaining, in what manner such a mutual spirit of recrimination could be rendered serviceable to the gradual progress of the Reformation. If the discipline of the English church had suffered from Italian beneficiaries residing abroad, it had suffered in an equal degree from the corrupt practices of patrons themselves, who dispensed the temporalities of benefices to learned clerks, with no other object than that their education might render them qualified to act as stewards of their estates. And thus the Greslets and La Warres, with the view of "having their offices done for nought," sacrificed to the base, sordid views of Mammon the cure of souls and the services of the holy altar, and, with them, the spiritual and eternal interests of the neglected parishioners of Manchester.

CHAPTER XV.

THE DEMISE OF THOMAS, LORD LA WARRE.

Thomas, Lord la Warre, did not long outlive the act of collegiating the parish church of Manchester. Although a clerk in orders, he had numerous writs of summons to parliament, which dated from the 22nd of Richard the Second to the 6th of Henry the Sixth. Yet it would appear that he died in the 5th year of Henry the Sixth. He was interred in the abbey of Swineshead.

In his estates and titles he was succeeded by Sir Reginald West, to the displacement of the true heir, Sir Nicholas Griffin, of Braybroke.

Thomas, Lord la Warre, died seized of the manor of Wickwar and of the advowson of the church, and of St. Bartholomew's hospital, in Bristol, as belonging to the manor of Wickwar.—Other estates, some of them very extensive ones, were in Lincolnshire, Sussex, Northamptonshire, Gloucestershire, and Wilts.

The extent of the manor of Manchester is recorded as follows:—

5th Henry vi: Thomas la Ware
Manchestr Maner extent' ampl'
Assheton advoc' ecclie
Sharples hameletta et terr' ibidem voc' le Fouldes cont'
4000 acr'

1000 acr' ten' ib'm vocat' Hordern solyns
 Heton cum Halewale 1000 acr' terr' vocat' Egburden in
 villa de
 Keuerdeley maner' ut de manerio de Halton
 Heton Norris terr' &c.
 Greneloweth tria messuagia cum terris ibidem express'
 per metas
 Maunchestr' terr' ibidem voc' Jonesfeld de Hulton et
 Ingelfeld express' p. metas ———
 Mancestr' ten' ibidem vocat' Overdraughtgate p. metas
 ——— Netherdraughtgate p. metas
 Moston hameletta mess' et ten' &c. ibidem vocat'
 Bridesdaghe juxta Boukerleghe express per metas
 Mauncheester 800 acr' terr' in ham' de Curmesale per
 metas
 Ashton subtus Limam maner' extent'.

The foregoing extent of the barony of Manchester, taken from the parliamentary records, conveys to us some notion of its insignificance at the time of Thomas, Lord la Warre's demise, when compared with the immense tract of territory inherited by his predecessors, the Greslets, soon after the Conquest, in the hundreds of Salford and Leyland, or in Widness. With the expensive continental and Scottish campaigns, carried on during many years, which led to numerous sub-infestments, the ancient feudal splendour of Manchester had been dimmed for ever.

It is likewise to be noticed that in this extent of the manor, there is no mention made of any advowson of which Thomas, Lord la Warre, might have been seized, except that of Ashton, whence we must infer, that the patronage of the parish church of Manchester was regarded as having undergone an alienation from the successors of the defunct lord of Manchester, by being appropriated to the absolute use of the perpetual parsons of the newly erected college.

With this change which took place in the constitution of the parochial church of Manchester,

the first portion of the task which I have proposed to myself is completed.

In commencing with the first and great endowment which the church possessed by an unknown Anglo-Saxon thane and patron, I have ended with the active preparation going on for establishing a new ecclesiastical institution within the town and neighbourhood of Manchester, by the collegiating of the parish church, the motives for which we have found to particularly attach themselves to the era of Wycliffe,—an era of extraordinary mental activity and advancement.

Near the close of the present part of our history we have observed, that the reflective classes, in emerging from mediæval darkness, began to be restless under the social evils beneath which they had suffered, arising from the egoistic and tyrannic exercise of feudal power, which Holy Church, in Her existing position, was not competent to restrain. The lord of Manchester, while he hesitated to follow Wycliffe in the innovations of doctrine which he sought to introduce, was quite alive to the lax state of ecclesiastical discipline then prevailing, one great cause of which,—a cause too much overlooked by historians,—had, perhaps, less identified itself with the inroads made by the papal see upon the rights of patrons, by means of provisors, than with abuses emanating from patrons themselves. Thomas la Warre, therefore, in seeking to transfer the right of advowson, and, with it, the appropriation of endowments from the baronial patronage of his heirs and successors to a capitular body, only aimed to develop the solemn truth, that the best institution in church and state was that which was best calculated to conduct society to the high destiny revealed in Christ's sacred gospel and prophecy,—WHEN THE WILL OF THE FATHER SHOULD BE DONE UPON EARTH, EVEN AS IT IS DONE IN HEAVEN.

R E M A R K S

ON THE

HISTORY OF THE ANCIENT PARISH CHURCH

OF

MANCHESTER,

WITH ADDITIONS.

It will, I trust, be sufficiently evident from the foregoing narrative, that THE HISTORY OF THE ANCIENT PARISH CHURCH OF MANCHESTER, AND WHY IT WAS COLLEGIATED, necessarily comprehends,

First, A history of the barons of Manchester, who were the early patrons of the church;

Secondly, The municipal annals of the town, and the causes favouring its wealth and population;

Thirdly, An account of the deans rural, rectors, and chaplains of Manchester;—and,

Fourthly, the process by which the parish church was collegiated.—Upon each of these divisions a few remarks will be made, in the course of which I shall not only have occasion to gratefully acknowledge the aid which has been rendered me while drawing up this history, but also to correct any errors, or supply any omissions which I may have subsequently detected.

of information, is to be found in the records possessed by Sir Oswald Mosley, of Rolleston Hall, Staffordshire, the late lord of the manor of Manchester, to which I have not had access, but, in the meantime, have availed myself of the highly interesting abstract of them drawn up by the intelligent baronet himself for “Corry’s History of Lancashire.”—[See vol. ii. of this work, p. 448, &c.]

The baronial history of Manchester is, in fact, a desideratum, few attempts having been made towards it, with the exception of a slight memoir by the late Mr. Whatton, published in the transactions of the Manchester Literary and Philosophical Society, which is both deficient and inaccurate.

The following tabular view of the more ancient barons of Manchester, including the dates in which they severally came to the possession of the barony, and the pages of this work wherein their annals are to be found, may be acceptable.

CHAPTER I.

REMARKS ON THE BARONIAL HISTORY OF MANCHESTER.

The sources of information are the various notices of the ancient barony of Manchester interspersed through the numerous volumes of the parliamentary records, some of which have been faithfully given in Gregson’s valuable collections of Lancashire, with additions from divers inedited documents. Other important details have been furnished by Keurden, which Mr. Baines, in his Lancashire history, has copied from the manuscripts of this antiquary in the possession of the Chetham Library, of Manchester. Another, and rich source

THE ANCIENT BARONS OF MANCHESTER.

ABOUT				PAGE
1100 (?)	... Albert Greslet	1st Baron...		9
(?)	... Robert —————	2nd	”	14
1135	... Albert [Senex]	3rd	”	15
1166 (?)	... Albert [Juvenis]	4th	”	21
1185 (?)	... Robert Greslet	5th	”	22
1231	... Thomas —————	6th	”	51
1261	... Robert —————	7th	”	61
1282 (?)	... Thomas —————	8th	”	65
1307 (?)	... John la Warre	9th	”	85
1310	... Alienation to the } Abbey of Dore }			86
1326	... John la Warre re- } sumes the manor }	9th	”	95
1349	... Roger la Warre ...	10th	”	101
1368	... John —————	11th	”	111
1398	... Thomas —————	12th	”	122

In the foregoing list, the dates are intended to express the periods of accession to the barony; but,

among the earlier barons, genealogical statements differ greatly. For instance, with respect to ALBERT GRESLET [JUVENIS], THE FOURTH BARON, whose demise I have placed at 1182, Norfolk historians assert that it occurred in the 32nd of Henry the Second (1185-6), and that he had married, not for a first, but for a second wife, a daughter of Thomas Basset, sister of Gilbert, lord of Burcestre, by whom he left a son and heir, &c. &c.

But although I have been enabled to correct numerous mistakes of genealogists, much subject of contention still remains in the annals of the earlier barons of Manchester.

After these general remarks, I shall make a few corrections and additions which have occurred to me, either too late for the body of the work, or which might be more advantageously introduced in an appendix.

§ 1. ADDITIONS, ETC., TO THE ANNALS OF ROBERT GRESLET, THE FIFTH BARON.—[SEE PAGE 22-51.]

As Robert Greslet, in his resistance to King John, is the only baron among the Greslets who may be said to possess an historical character, the following addition to his annals may not be unacceptable.

Early in the year 1201, King John, during his progress with his young queen, and third wife [Isabel, sister and heir of the earl of Anjouleme], to the borders of Scotland, held many courts, where great numbers who had trespassed against the revived and arbitrary forest laws, were rigorously fined.

It would appear that the knights, thanes and free tenants of the Honour of Lancaster, had given to the king a sum of two hundred pounds in order to purchase an exemption from the severities of the forest laws, paying also a considerable sum in arrears of their several fines during the farming of forest lands.—[Rotuli de oblatiis, p. 33, also Rotuli Cancellarii, &c. tertio anno regni regis Johannis.]—There is likewise extant a curious deed of the date of the 1st of John, 6th October, in which the king confirms to all the knights, thanes and free tenants abiding in the forest of the Honour of Lancaster, the liberty of assarting their woods [or of plucking up the trees by the roots], and of selling or gifting the same, as well as of converting forest into grazing lands without the interference of bailiffs, agreeably to their several infestments, and of hunting with dogs all hares, foxes, and other beasts, besides vert, or venison, wild boars "at laie," and roebucks. To this deed the name of Robert Greslet was appended as one of the nu-

merous witnesses. It is probable from this circumstance that he had enjoyed his own forest lands by prescription, and undisturbed.

Soon afterwards John summoned his barons and military tenants to attend him beyond sea, in order to quell an insurrection at Mans, in his Norman dominions. As the nobles, on account of the injustice of the forest laws, refused to accompany him over, as well as to pay the forfeit of their contumacy by a surrender of their castles, the personal attendance of the barons was commuted for a sum of money, amounting to two marks for every knight's fee; which contribution is said to have been more acceptable to John, than the convening of his restless and discontented nobles. Owing to Robert Greslet's rebellious conduct, his wife, the daughter of William de Longchamp, and his children were detained while dwelling in Normandy, but on the 5th of December (1203-4), Richard de Wileh, by a royal mandate given at Barbefflet, was ordered to secure them a safe conduct to England. [Rotuli Literarum patentium, vol. i, p. 37.] Robert Greslet likewise paid twenty-four marks for twelve knights' fees which he held in Lancashire.

In the 9th of John (1208), Robert Greslet was supplicated to give his aid in the fortifying of the castle of Lancaster with a ditch.—[Rot. Lit. Patent., vol. i, part 1.] He was likewise ordered to take his part in the castle ward of Lancaster.—[Rot. Lit. Claus., p. 606.] As he had then regained favour with his sovereign, he was excused the payment of thirty marks, which he had owed the treasury, as an amercement for the marriage of his sister.—[Rot. Lit. Claus., p. 108.]

The ensuing years of King John's reign formed a turbulent era in the history of church and state. The nomination and election of bishops afforded a continual source of strife. The privilege to name, to elect, or to confirm, was alike claimed by the king, by chapters, by the monks, and by the pope. But it was the papal power which eventually prevailed. When Pope Innocent the Third found that his nomination of Stephen Langton to the see of Canterbury was opposed, he laid the whole kingdom under an interdict. The king resisted the ban, by causing the bishops, who ventured to publish the bull, to seek refuge abroad. The monarch himself was next threatened with a personal excommunication; and, in order to avert the threats of France, and the discontents of his own churchmen and subjects, as well as to bind the pope more firmly to his interests, was induced to make the kingdoms of England and Ireland tributary to the see of Rome. Against this proceeding, as well as against divers civil encroachments of the crown, the great barons revolted.

Among the nobility, who, in their strife with a vacillating monarch, wrung from him the great palladium of English liberty, it is gratifying to find that the baron of Manchester was to be enumerated.

The demise of Robert Greslet [see page 47] took place in 1230. In the *Coucher Book of Whalley Abbey* [vol. i, pp. 40 and 50], under the able editorship of W. A. Hulton, Esq., it would appear that Robert Greslet left behind him two sons, a son and heir THOMAS, and a second son, not before noticed by genealogists, of the name of ALAN.

In the *Excerpta à Rotulis Finium* [vol. i, p. 208], we find an order from the king, dated the 20th December, in the 15th of Henry the Third, at Carlisle, commanding that the lands of Robert Greslet should be taken into custody, and that nothing should be removed without the royal permission. And, in another order, it was directed that full seizure should be given to Thomas Greslet, the heir, for the lands and tenements for which the king had received the homage of Robert Greslet, and to determine how much land he held from the king, or whether he held it from the king in chief, or from the crown.

There has been some difference of opinion relative to the precise relation which the Gresleys of Drakelawe, in Derbyshire, bear to the main branch of the Greslets, barons of Manchester, into which question I shall decline entering. I may remark, that, in the 9th of John, mention is made of a "Nigelle de Greselle," and of "Drakelawe." And in the 34th and 35th of Henry the Third, there is an allusion to the heirs of "Alicia de Gresley."

§ 2. ADDITIONS TO THE ACCOUNT OF THOMAS GRESLET, THE SIXTH BARON OF MANCHESTER.—[PAGE 51-61.]

During the course of consulting the parliamentary records, I learned that the wife of Thomas Greslet, the sixth baron of Manchester, was CHRISTIANA LEDET (apparently unknown to genealogists), in right of whom he held the scutage of Gannoc and the barony of Wardon, in Northamptonshire.

Amidst the laxity of ecclesiastical discipline which began to prevail, Thomas Greslet was less favourable to the secular than to the regular orders of the church. In the *Coucher Book of Whalley*, there is a grant by him of the land of Monithornes to the abbey of Stanlawe.—[See *Coucher Book of Whalley*, vol. i, p. 49-50.]

Nouerint presentes et futuri quod ego Thomas Gredeley concessi et hac presenti carta mea confirmaui Abbati et

monachis Loci Benedicti de Stanlawe totam terram meam de Monithornes quantum pertinet ad feudum meum infra certas diuisas comprehensas in carta Gilberti de Barton. Tenend. et habend. in puram et perpetuam elemosynam prout eiusdem Gilberti carta eis facta testatur. Ita quod nec ego nec heredes mei aliquod seruicium seculare de terra illa exigere nec aliquam distractionem facere poterimus pro defectu seruicij quo michi Gilbertus de Barton de alijs terris suis tenetur. Hanc concessionem de me et heredibus meis fideliter tenendam feci eis pro salute anime mee et uxoris mee et antecessorum et successorum meorum. In huius rei testimonium presenti scripto sigillum meum apposui. Hijs testibus Alano fratre meo, domino Ricardo de Vernon, domino Roberto de Latham, domino Galfrido de Chetham, Hugone de Haselum, Roberto de Hulton, Ricardo de Trafford, Roberto de Schoresworth, et alijs.

Upon the demise of Thomas Greslet, the sixth baron, there was assigned to Christiana Ledet, his wife, by letters from the king dated the sixth of March, in the 46th of Henry the Third (1262), the manor of Swinesheued, as a reasonable dower, and orders were given to make in her behalf a full seizure of the same.—[*Excerpta à Rotulis Finium*, vol. ii, p. 369.]

The issue by his marriage was, first, Robert, his heir, who died in the lifetime of his father, leaving a son also of the name of Robert, then an infant of tender years, to inherit the baronial estates of the grandfather. A second son of Thomas Greslet was Peter, an ecclesiastic and rector of Manchester, regarding whom some additional information will be found in a succeeding (the third) chapter of this Appendix.

§ 3. ADDITIONS TO THE ACCOUNT OF ROBERT GRESLET, THE SEVENTH BARON.—[SEE PAGE 61-65.]

Soon after Robert Greslet had arrived at full age [see page 63], he was summoned, in the 5th of Edward the First (1276), against Llewellyn, Prince of Wales, the summons being directed to Edmund, Earl of Lancaster. And, in the year following, the mandate was repeated,—John de Gresley, or Gredley, also named "Johannes de Gredle, seruiens.;" that is, he performed military service due from Robert de Gredley. The muster was at Worcester.

The baron of Manchester was likewise on another occasion summoned at Oxford, as "Robertus de Gredley de Lancaster," when he performed military service by himself and three servants, thereby acknowledging the service of two knights' fees.

In page 65, I have alluded to Robert Greslet's confirmation of lands of Saint Mariden to the abbey of Stanlawe.

In the history which I wrote many years ago of the ancient parish church of Manchester, I was so far misled by the narrative of Hollinworth, who vaguely jumbles his account of "the chapel of Saint Mary Den, now called Deane Church," with the localities of Manchester, that, owing to my absence from Lancashire for a period of twenty years or more, I had strangely lost sight of a Dean Church which lay close to Bolton.

In my present history, I followed a document inaccurately given by Baines in his Lancashire history. But I am now enabled to correct the same by the Coucher Book of Whalley, admirably edited by Mr. Hulton.—[See vol. i, p. 60-2.]

It would appear that Robert de Greslet, being the capital lord of certain lands adjoining Saint Mariden, merely confirmed a gift made by Thomas de Perpoint to the monks of Stanlawe. The deeds are dated in the 4th of Edward the First (1275-6), from which I have translated a few extracts:—

Be it known to all men, as well present as future, that I, Thomas de Perpoint, have given, granted, and, by this my present charter, have confirmed to God and to the blessed Mary, and to the Abbot and monks of the Benedictine house of Stanlawe, in the same place serving God, for ever, and to the chapel of Saynte Mariden, for the safety of my soul and all of my ancestors and successors, in pure and perpetual alms, all my land near the same chapel of Saynte Mariden between these boundaries, to wit,—From the cemetery of the said chapel on the western side direct as far as the Kirkebrok; in following the Kirkebrok, as far as the Muckelbrok; in following the Muckelbrok as far as the foss descending to the same Muckelbrok; in following the foss, as far as the hedge which comes athwart from the cemetery of the said chapel on the eastern side; and thus in following the hedge as far as the before said cemetery.—To have and to hold from me and from my heirs for ever freely &c. &c.—By rendering nothing thence to any one except prayers and orisons, as the writing of Robert Gredelay the capital lord of the aforesaid fee, which the Abbot of Stanley and the convent of the same house have with them, doth testify &c.

CONFIRMATION OF ROBERT DE GREDELEY OF THE
AFORESAID LAND OF SAYNTE MARIDEN.

To all to whom the present writing shall come, Robert Gredeley, Lord of Manchester health in the Lord. Know ye, that, in regard of charity and for the safety of my soul and of all my ancestors and successors, I have granted and by this my present charter have confirmed to God and to the blessed Mary and to the Abbot and monks of the Benedictine house of Stanlawe, and to their chapel of Saynte Mariden, all the land near the same chapel, with its appurtenances and liberties, which Thomas de Perpoint gave to them in pure and perpetual alms, between these boundaries, to wit from the cemetery of the said chapel, &c. &c. [as in the preceding charter.] So that neither I, nor any one of my heirs can ever exact or claim any thing from the said land except prayers and orisons. But be it free and quiet from all exaction of myself and of my heirs, as any eleemosinary gift or church land is more freely and quietly held. In testimony whereof I

have attached my seal to the present writing.—These being witness, the Lord John de Biron, Henry de Trafford, Richard de Moston, Roger de Penhulbury, David de Hulton, Robert de Schoreswrd, William de Radeclif and others,—Accorded at Manchester, on the day of Saint Boniface, in the fourth year of the reign of King Edward the son of Henry the King.

Robert Greslet, in the 8th of Edward the First, married Hawise de Burgh, a rich heiress of the family of the Earls of Kent, who brought him lands in Northamptonshire, Somerset, Sussex, and other counties. By her he had two children, Thomas, born in 1279 or 1280, and Joan, about a year later.

This baron died in the 10th of Edward the First, while his two children were perfect infants, leaving, besides his Lancashire estates, lands in Norfolk, Suffolk, Lincolnshire, Rutland, and Oxford. And soon after this event Hawise de Greslet, "*quæ fuit uxor Roberti de Greslet*," was summoned, 10th of Edward the First (1282), on the morrow of Saint Peter Ad Vincula (August 2nd), to a muster at Rhuddlan.

It is said that the Grelleys of Drakelawe and Lullington, in Derbyshire, who boast a descent from Nigel de Stafford, claim from this marriage by a Peter de Gredley, who had a wife named Joan. But it may be remarked, that many other Greslets are commemorated about this time, to whom the descent might have been more safely referred. There was a Nottinghamshire Greslet, or Grelley, of the name of Radulphus, who had four brothers, Robert, Nigel, Henry, and William. I also find that there was a Robert Gredle, born in 1300-1.—But it is not for me to recount these genealogical difficulties.

Hawise de Burgh seems to have died in the 27th of Edward the First (1298-9), leaving lands in Wakerley, Northamptonshire, Kingston, county Somerset, and in Portland, Sussex. Her son, Thomas Greslet, the last of the Manchester barons of that name, was then said to have been twenty years of age.

§ 4. DATE OF THE DEMISE OF THOMAS GRESLET,
THE EIGHTH BARON.—[SEE PAGE 79, 84,
&c.]

It has been shewn [see page 79] that in 1308-9 Thomas Greslet made a formal grant of the manor of Manchester, for which, in the 35th of Edward the First, he had rendered homage to Thomas, Earl of Lancaster, along with other lands, and of the advowsons of the churches of Manchester and Ashton to John la Warre, knight, and Joan his wife, subject to an annual payment during his life of one hundred marks.

Under these circumstances there is a difficulty in explaining the repeated summons which he subsequently received to attend the parliaments held, as well as to appear with his followers against the Scots,—for instance, in 1313, when he was summoned conjointly with John la Warre to meet the king at Berwick-upon-Tweed.

In page 84 I have stated the demise of Thomas Greslet to have been in 1313. But it was not until the 25th of June, 1315 (8th of Edward the Second), that the writ of scutage (28th, 31st, and 34th of Edward the First), which John la Warre had obtained in respect of the lands of Thomas de Grele, deceased, was tested at Thundersley. Yet he might have died a year or two before the date of 1315.

§ 5. ALIENATION OF THE MANOR OF MANCHESTER TO THE ABBEY OF DORE, IN HEREFORDSHIRE, FROM THE FOURTH TO THE NINETEENTH OF EDWARD THE SECOND.
—[SEE PAGE 86-95.]

So little is this abbey known, that Lancashire topographers have supposed that the alienation was to a foreign abbey, *Dort*, in Holland, into which mistake I myself fell in my history drawn up some years ago. But not having been satisfied with this statement, I inquired nearer home after the convent of Dore, and found it about twelve miles south-west of Hereford, near the road which leads to Abergavenny. This abbey owed its origin to a lord of the adjoining manor and castle of Ewyas.

The building of Ewyas Castle, situated not far from the Wye, is ascribed by some to William Fitzgerald, Earl of Hereford, during the conquest of England. But others say that it owed its erection to Harold before he became king, and that when he gained a battle against the Welsh, he gave his castle to a bastard named Harold, whence the name which the manor and village continued to bear of "Ewyas Harold." It is again questioned, if this Harold was really the bastard son of the Saxon king, and if his father was not Ralph, Earl of Hereford, in Edward the Confessor's time.

The bastard son of King Harold, as some name him, had issue two sons, the younger of whom, Robert, Lord of Ewyas, had a larger estate than his elder brother enjoyed, and, in the time of King Stephen, founded Dore Abbey, a Cistercian house of white monks, to the honour of the Virgin Mary. The abbey is situated in a valley named by the Welsh "Diffryn Dwr," but, by the English, "The Golden Vale." It was built near the confluence of the streams of Dour and Minow.

ROBERT DE EWYAS, founder of Dour Abbey, who there lies buried, had issue ROBERT:—

This second ROBERT had one daughter named SIBILLE EWYAS, married to SIR ROBERT TREGOZ, a Norman, who dwelt at Ewyas Castle. Robert Tregoz had issue JOHN TREGOZ, who married Julia, a daughter of William, Lord Cantelupe, and sister to Thomas Cantelupe, Bishop of Hereford, and chancellor to Henry the Third. John Tregoz died in the 29th of Edward the First, leaving two co-heiresses, between whom the said barony fell into abeyance, of the names of (a) CLARENCE, and (b) SIBELLE.

(a) CLARENCE wedded ROGER LA WARRE, by whom she had a son, JOHN LA WARRE (the ninth baron of Manchester), to whom John de Tregoz left his castle, as to the principal, even in the lifetime of Roger la Warre, the father. But it has been asked,—in what way Roger la Warre, the father, "was barred of his right of tenancy by the curtesy, so as to entitle the son to claim his share of the mother's lands in his father's life time?"—[See Escaet, 28th of Edward the First, No. 43.]

(b) SIBELLE, or Sybille, the second daughter and co-heiress of John Tregoz, became the wife of William de Grandison.

But to return to Dore Abbey:—Many bequests are recorded to the same, as by Robert, Earl of Ferrars, King John, Alan de Plokenet, Walter de Clifford, and John la Warre.

The endowment of John la Warre, in the 4th of Edward the Third, serves to show the attachment which the baron of Manchester had to this abbey:

Know all present and future, that we John la Warre, lord of Ewyias, have demised, granted, and, by this our present charter, have confirmed to God, the Blessed Mary, and to the Abbot and convent of the Monastery of the Valley [of] Dore, one acre of land with its appurtenances in Wyke-toft in the county of Lincoln, with the advowson of the church of the same town of Wygtoft; to wit, that acre which Robert the son of Alexander of Westenges lately held from us in bondage, which lies between our land which Thomas the son of John holds in bondage, * * * To have and to hold to the same Abbot and convent and to their successors the aforesaid land and advowson with their appurtenances in pure and perpetual alms from us and our heirs for ever. And we, &c., shall warrant, &c. Dated at Isefeld in the county of Essex on the day of the Sabbath at the feast of the nativity of the blessed Mary in the fourth year of the reign of King Edward the Third from the conquest.—[See Dugdale's *Monasticon Angliæ*, vol. i, p. 864.]

Dore Abbey was long a burying place of the

nobility of the county, and if any remains of them exist at the present day, it may be worth a visit to inquire, if Thomas Greslet, baron of Manchester, here reposes; for it is not improbable that he retired to this abbey to end his days, and that the temporary alienation of the manor of Manchester had been intended for his support during the term of his religious seclusion.

It is curious, that about five years after the recovery of the alienated manor of Manchester, there is some trifling indication of a connexion having been kept up by the abbot of Dore with the county of Lancaster. The abbot of Dore is mentioned as an arbitrator, along with his neighbour the abbot of Tintern, in a dispute between the abbeys of Whalley and Salley, upon the subject of tithes: "*mediantibus Abbatibus de Dora et Tynterna iudicibus à capitulo generali assignatis.*"—[Coucher Book of Whalley, vol. i, p. 99.]

At the time of the great inquest, Dore Abbey, according to Dugdale, was valued at £101 5s. 2d. Speed says £118 0s. 2d.

§ 6. NOTICES OF JOHN LA WARRE, THE NINTH BARON, AND OF ROGER LA WARRE, HIS SUCCESSOR.

In noticing John la Warre's military exploits [page 99], I might have alluded to a curious requisition to him, which I extracted from the parliamentary records;—it is dated 20th of December, in the 16th of Edward the Third, and is for men, arms, and bowmen to hasten to the king to meet him at Portsmouth: "*A Monsieur Johan de la Ware pur xx hommes d'armes xx archers.*"

It would seem that Roger la Warre, renowned as a military character [page 109], took some part in state measures: he was concerned in treaties made with the King of Navarre, and with Peter, King of Castile.

Roger la Warre died on the 27th of August, 1370, and was buried in Swineshead Abbey,—the great place of sepulture selected for themselves by the ancient barons of Manchester.

§ 7. THE SWORD OF STATE USED BY THE ANCIENT BARONS OF MANCHESTER.—[SEE PAGE 30.]

I have at length completed my additions to the history of the barons, who were patrons of the ancient parish church of Manchester.

In page 30, allusion has been made to the large state sword upon which the barons of Manchester exacted from their vassals an oath of fealty, and which they were wont to have carried before them upon all occasions of pomp or ceremony. This

relic was, in the commencement of the last century, about 1720, turned up by the plough in Castlefield, not far from Old Mancastle. It is minutely described by Whittaker as having a blade forty-seven inches and a handle eighteen and a quarter inches long,—the united length being five feet five and a quarter inches. The blade, which had a double edge, was nearly two inches in breadth at the guard, and tapered away to a sharp point. The handle was four and a quarter inches in circumference, and was lined all round with soft wood, and covered above with leather, being terminated by a large round ball of iron of about a pound weight, and crossed by an iron guard twenty and a quarter inches in length. Its weight amounted to seven pounds eight ounces, which made Whittaker—who, *suo more*, pronounced "the curiosity to be decidedly Roman, and to be very like a sword depicted on a Roman monument"—to express the opinion, that when used on the battle-field, it was designed to be wielded by both hands together!—[See Whittaker's Manchester, 4to, vol. i, p. 51.]

This sword of state, carried before the Greslets, was similar to numerous others of the middle age, which are delineated in illuminated drawings, stone monuments, and elsewhere. The Manchester relic was, in the year 1771, when Whittaker wrote, possessed by Thomas Birch, Esquire, of Ardwick. Afterwards, Sir Ashton Lever obtained it for his museum, then the common receptacle for divers antiquarian remains which had been hitherto hoarded up for centuries in private collections, or among the insignia of the old families of Lancashire. And when, by the sale and dispersion of this invaluable collection, Lancashire was deprived of her choicest historical relics, the baronial sword was bought by Mr. Tomlinson, surgeon, of Manchester, who was well aware of its true character, and, if I correctly remember, it was presented by him to the late Mr. Barrett. Eventually, the sword became the prize of the late lord of the manor, Sir Oswald Mosley, and, after the manner of his predecessors, the Greslets and La Warres, was carried before him in state, when the worthy baronet headed the procession of trades at Manchester, upon the coronation of George the Fourth.

CHAPTER II.

THE CIVIL AND MUNICIPAL HISTORY OF MANCHESTER.

In this important division of the historical subject of my inquiry, I have made the humble

attempt to supply a blank hitherto entirely neglected by former historians of Manchester:—it was to point out the social advance of Manchester as keeping pace with the gradual emancipation of the inferior classes from the state of villeinage and bondage tenure to the condition of yeomen, or of free burgesses. This important transition has been too often unheeded in most local histories. Many years ago, I drew up a sketch of the history of both English and Scottish yeomen, which various engagements prevented me from publishing. Consequently, some of the researches which I then made have been transferred to this work, with the view of explaining the most difficult portion of the history of Salford and Manchester, as connected with the municipal charters granted by Ranulph de Blundeville, or Thomas Greslet.

In the course of the present volume I have pointed out, that the system of Saxon jurisdiction comprised two great principles, namely, a fixed residence and a mutual pledge of responsibility to the laws, whereby was produced in every habitable district an efficient local police. Upon these principles was based all the municipal privileges granted to Salford and to Manchester, and all the subsequent proceedings and by-laws of borough courts which were in force to so late a period as that of the time of the Great Rebellion. So jealous, also, were the old inhabitants of Manchester that the principles enforced by their Saxon progenitors and confirmed by Norman barons should not fade by time, that advantage was taken of a casual visit which James the First made to Lancashire, to have them confirmed.

It was not until I had finished explaining the charters of Manchester and Salford that I became acquainted with the fact, that along with the acquirement of the manor of Manchester by the corporation from Sir Oswald Mosley, the ancient proceedings of the borough courts, commencing in the sixth year of Edward the Sixth, and continued during many succeeding reigns, had been transferred to the purchasers, and were lodged in the muniment chest of the town council.

For the acquirement of this treasure, as well as for the highly interesting extracts from them which have been occasionally published in the *Guardian*, much is due to Mr. Harland, who has from time to time elucidated the more important events of "Old Manchester" with all the enthusiasm of a native of the town. To this very intelligent writer Manchester owes a deep debt of gratitude.

I trust that, ere long, the corporation will be induced to publish the whole or most of the ancient proceedings of the borough court of Manchester, the expense of which cannot press in any very

perceptible degree upon the funds and resources of the city. The history of the second city of the kingdom has of late excited, among all ranks of its inhabitants, no small degree of interest. And what inquiry can be more important than that which is directed to the early framing of municipal provisions,—from the first date of which we discern the great impulse which had been given to the future progress and advancement of Manchester. In the extracts already published by Mr. Harland, from the proceedings of the borough courts of Manchester, we continue to trace the laws which first regulated the inheritance of burgage tenures, which have since given stability to commerce by the protection afforded to the fair dealer, which have protected the peace of the town from the external aggression of the vagrant plunderer or the rebellious outlaw, or which, by a most vigilant system of police, founded on the Saxon principle of the mutual pledge, have promoted internal and civic peace, whether broken in the course of fairs or markets, of public games and amusements, during the festive biddings of brides and bridegrooms, or even by the street brawls kept up by common scolds.—Lastly, we must admire the sanitary measures which were resorted to on all occasions resulting from inefficient drains and other lethal accumulations of animal matter, or during the fearful visitations of pestilence, or when famine threatened.

When these documents are published, we shall acquire—and not before then—a knowledge of the domestic history and manners of Manchester through many ages.

Along with a publication of this kind,—I hope under the able editorship of the gentleman who first introduced the documents to public notice,—a registry may be made of the various charitable bequests, which from time to time have been left for the relief of the poor. Many of these have been most meritoriously detailed in the pages of the Manchester journals, the *Guardian* and the *Courier*. A most active and honoured citizen of Manchester, Mr. Alderman Kay, has of late employed himself in endeavouring to recover various "lost charities," as the fraudulent acquisitions of funds destined for the support of the indigent are far too mercifully named. Nothing would more effectually operate against any future abuses of trust, than an exposure of the mode in which the charitable bequests and endowments of former days have been abused.

But to return to the municipal history of this volume, regarding which I have little to add.

In the charter of Salford [page 48] I had, upon

a conjecture, corrected the name of one of the witnesses from Paganus de Chauros, as given by Baines, to Paganus de Chaworth. Since then I found it remarked, in one of the parliamentary records, that there was a "Paganus de Chawrth," who had the custody of the honour of Bergeveney.

In page 33 an account of the ancient tumbrel, or cuckstool, also named the ducking stool, is given. Since this was written I read a notice in the public papers of December, 1847, as follows: "The ducking stool, a relic of by-gone times, and dread of all shrews, has, by direction of the mayor of Ipswich, been painted, renovated, and suspended over the staircase of the Town Hall of that town."

Upon this paragraph I may remark, that I have a perfect recollection of having seen a similar relic in an attic room of the Manchester Infirmary, built near the ancient pool named the Daubholes, where the ducking stool was in frequent use. The relic was shewn me, about fifty years ago, by my very old and esteemed friend, Mr. James Ainsworth, surgeon, when he was a pupil of the Royal Infirmary.—Does the relic still exist? It would form, as in Ipswich, an interesting article for a municipal museum.

Again,—during the course of writing this history, the names of numerous ancient inhabitants of Manchester have presented themselves to my notice, but, as they were quite unconnected with its church history, I could not advert to them. Thus, in the time of Edward the First, I find mention made of the name of Galfridus de Bracebrugg, seneschal of Manchester, as well as of a burgess, Johannes de Manchester.

With regard, however, to this last cognomen, I would offer a caution.

Many individuals have been, by writers, adjudged natives of Manchester from the term Mamcestre, or Maincestre, having been appended to their Christian names. But it has never been reflected, that there was a Manchester in Warwickshire, with which the Lancashire town could scarcely fail to be often confounded; as, for instance, by Hollinworth and Baines, in their respective accounts of Hugo, or Hugh, of Manchester.

Thus, in page 69, I have doubted whether the celebrated "Hugh of Manchester" did not rather belong to the Maucester family of Warwickshire. Since then I have consulted Dugdale's Warwickshire, where the genealogy of the Manchester house is given [fo., p. 774-5], and wherein it appears that the name of HUGO is of such frequent and prevailing occurrence, as to be constituted the characteristic family name.

It is, however, not a little remarkable, that the Mancesters intermarried with an old family of

Rochdale, which town, however, lies at a distance of twelve miles or more from Manchester. "Hugo de Manchester," observes a very intelligent friend to whom I mentioned the subject, "might be of Mancetter in Warwickshire; and it is true that the Holtes of Grizzlehurst were connected, by marriage, with that house, through the Sumpters and other families allied to the Brockholes, as appears by two closely written rolls of parchment, in my possession, relating to suits with Merevale Abbey, about the time of Edward the Fourth or Henry the Seventh. These give much information of an interesting character; but there is no mention, I think, of Hugh de Manchester."—[From a communication of the Rev. F. R. Raines, M.A.]

CHAPTER III.

REMARKS ON THE DEANS RURAL, RECTORS, AND CHAPLAINS OF MANCHESTER.

Since the first book of the Supplement passed through the press, I have been enabled to make a few corrections and additions to the accounts which have been given of the deans rural, rectors, and chaplains of Manchester.

§ 1. THE DEANS RURAL OF THE DEANERY OF MANCHESTER.

With the aid of a very obliging friend, whose kindness I have before had occasion to gratefully acknowledge, in conjunction with notices from the Coucher Book of Whalley, the following may be offered as a more correct list of the very few deans rural of Manchester who meet with record:—

DATE.	NAMES.	PAGE.
1192.	J. Decanus de Mamcestr.....	25*
1235.	J. Decanus de Manucestre	52
Circa 1268. } 53rd Hen. III. }	Jordanus, Decanus de Maincestr.— [See Dodsworth's MSS., vol. xiii.]	
Circa Edw. I.	Johannes Decanus de Mamcestr witness to a deed.—[See Dodsworth's MSS., vol. cxxxiii. Alluded to by Whittaker]	68
Circa Edw. I.	Dominus Galfridus Decanus de Mamcestr.—[See Dodsworth's MSS., vol. cxxxiii.] Was he Galfridus de Stoke?	76
	[Capellanus Galfridi de Mamcestr]	76
	There is also, in the Coucher Book of Whalley, vol. ii, p. 601, in a deed without date, "Dominus G. Decanus Mamcestr."	
1421.	Thomas la Warre, Decanus Decanatus	129
	[But I am now not quite so certain that he was a dean rural of Manchester.]	

Such is the scanty list of the deans rural of Manchester.

I have laid it down, as a conclusion, that Whittaker's assertion of the offices of dean and rector of Manchester having been necessarily conjoined, had failed in proof. His strongest hold is the case of Thomas, Lord la Warre, who, he maintains, was in himself both dean rural and rector of Manchester. Into this opinion I myself rather too incautiously fell, as is shewn by what I have stated in page 129. For, upon a more careful examination of the deed in which the term "*decanus decanatus*" occurs, without the name of any dean transpiring, as in the petition of the parishioners of Manchester for the collegiate of their church, wherein the characters of the decanal seal are much destroyed, we can legitimately infer nothing more than the strong probability that Thomas la Warre was then both rector and dean rural, for the temporary and special purpose of preventing any clashing of interests which might have arisen if these offices had been held by two persons. It is evident, however, that a similar peaceful result might have ensued if Thomas la Warre, instead of being both rector and dean, had simply committed the latter office to some pliant individual, who might lend himself to the views of one who would be much his superior in rank and ecclesiastical influence. But, in reality, the question is of insignificant import, except for the crotchet in which the learned, yet too fanciful historian of Manchester has indulged.—[See Whittaker's *Manchester*, 4to., vol. ii, p. 380-98.]

§ 2. THE RECTORS OF THE ANCIENT PARISH CHURCH OF MANCHESTER.

If a more accurate list of the rectors of the ancient parish church of Manchester has in the course of this work been given, I owe it to the following circumstance:—

In the Appendix to my former publication on the Manchester foundations, I published a list of the rectors of Manchester obtained from the late Mr. Ford, bookseller, of Manchester, who had previously meditated getting up the history under his own editorship and authorship. The list was said to have been drawn up for him by Dr. Ormerod, the historian of Cheshire, from extracts made by the Holmeses from the Lichfield registry, and deposited in the British Museum. In conceiving that among these archives there might be still more ecclesiastical information, I applied to a friend to examine the records for me, who happened not to be well versed in searches of this kind, whence the result proved a fruitless one. Under

these circumstances, I wrote to Dr. Ormerod for further information, who, without hesitation, himself took the trouble of repairing forthwith to the British Museum, and of making for me all the extracts I could wish for.

This was an obligation of no common kind, which was enhanced by my having been personally a stranger to this gentleman. His polite reply to my query, which I trust he will excuse me in quoting, was as follows:—

35, Queen Anne-street, Cavendish-square,
25th April, 1844.

SIR,

No apology whatever is necessary for the inquiries contained in your letter of the 20th inst., which has been duly forwarded to me from Sedbury. * * *

Perhaps I shall surprise you by saying that the communication was *not* made to Ford by me, or with my knowledge. It is in the handwriting of my friend, the Rev. J. T. Allen, to whom I gave some extracts from the list of presentations which is drawn from the Lichfield registers, and preserved in Harl. MSS., 2071. No. 2070 (to which Allen's MS. inaccurately refers) is a calendar of Cheshire fines in the seventeenth century. No. 2071 is almost exclusively ecclesiastical, and this document is mentioned on the page opposite to that which was searched in vain.

I have an exact copy of this calendar of presentations at Sedbury, which relate almost exclusively to Cheshire, saving what I have transcribed relative to Manchester,—a few presentations to Ashton-under-Lyne, and (if I remember right) some Flintshire ones. As I conceived that delay in waiting to copy from my transcript might be inconvenient to you, I immediately went to the museum, and made the accompanying extract, which I can certify as a faithful extract from the authority cited. The only difference is, that I omitted the columnar arrangement of "*Ecclesiae, Incumbents, Patroni, and Episcopi*" (which by no means adapts itself to the matter), and have written the words at length, as R. Holmes's contractions are very unantiquarian and irregular.

It may be now observed, that the list of rectors drawn up by the Holmeses, and copied for me by Dr. Ormerod with the most rigid accuracy, has been given *literatim* in the present publication.

I would also add, that a very intelligent and kind friend, whose contributions I have at various times had occasion to acknowledge, some years ago took the trouble of himself consulting what remains of the ancient registries of Lichfield, by which he was enabled to correct a few errors in dates, and to supply the name of a rector omitted by the Holmeses.

He has likewise added two names [*viz.* of Ranulphus de Welling, and Peter Greslet] to the list of rectors who appear previous to the year 1299, when the Lichfield registry commences.

As many of these corrections were sent to me after the body of the work was printed off, I shall now take the opportunity of explaining them in reference to the following list.

DATE.	NAMES OF RECTORS.	PAGE.
6th of Richard I.	Ranulphus de Welling.....	25
Temp. Johannis.	Albert de Neville	26-30
Recorded 1280.	Peter Greslet, named also Custos ecclesie. Is found to be witness to two deeds of the 9th and 12th of Edward the First	60-1
1288 (?).	William de Marchia, who, in 1292, was bishop of Bath and Wells	67, 83
1292.	Walter de Langton, afterwards bishop of Lichfield and Coventry	68, 83-4
1299 (?).	Otto de Grandison	69-70, 84
1306.	Galfridus de Stoke	76
1313.	John de Vorden	88
1316-17.	John de Ardena	88
1323.	Adam de Southwick	94
1327.	John de Claydon	96
1351.	Thomas de Wyke.....	105
1373 (?).	Thomas la Warre (the last rector) ..	112

In following the order of this list, I shall now describe such additions as have occurred to me too late to appear in their proper place, or, otherwise, more suitable to the details of an appendix.

(a) *Ranulphus de Welling, rector of Manchester.*
[See page 26.]

Regarding this rector I have learned nothing more since I merely announced his name.

(b) *Albert de Neville, rector.*—[See page 26*.]

He is known to us through a litigation with the monks of Kersall, for which information I am indebted to the late Mr. Palmer.—This former valuable contributor to the History of the Foundations of Manchester, made out a catalogue of the Keurden volumes in the possession of the College of Arms, wherein I understand that there is in vol. iii, K. 4, no fewer than seven documents relative to this hermitage.—Tanner refers to the following records concerning Kelsall:—Cart. I., Joannes, p. 2, m. 16;—Pat. 17 Hen. VI., p. 1, m. 9;—Pat. 32 Hen. VIII., p. 8, m.

(c) *Peter Greslet, rector.*—[See page 60-1.]

Peter Greslet, as I have shewn, was the second son of Thomas Greslet, the sixth baron of Manchester, whose elder brother, Robert, died in the lifetime of the father, leaving behind him a son, then of tender years.

It has been also stated [page 60] that Thomas Greslet, to the prejudice of his grandson, wished to convey the manor of Manchester, together with the chapels of Assheton, Hale, and Garston, to his surviving and second son, Peter, the Churchman. But this was not permitted,—the plea being in vain, that, because the son and heir, Robert, had died before he was of legitimate age, the heirship

had devolved upon Peter:—"qui quidem Robertus heres ipsius Thome decedit antequam fuerit legitime etatis per quod jus dicte hereditatis devolvatur ad ipsum Petrum." It was, on the contrary, denied that the late baron had enfeoffed his son Peter with the manor and other appurtenances of Manchester, whence the king sent orders to the sheriff to retain in safe keeping the estates of Thomas Greslet, defunct, and to be prepared against any resistance to the royal mandate, in accounting to the sovereign for the issues of the estates:—

CONCERNING THE LORDSHIP OF THE MANOR OF MANCHESTER TO BE TAKEN INTO THE HANDS OF THE KING.

The King to William Le Latymer his escheator beyond the Trent, greeting: Because it has been proved before us that Thomas Gresley, lately deceased, did not infeoff Peter Gresley his son of the manor of Manchester in such a time and in such a mode that he might thence possess a free tenement, and that the custody of the same manor belongs to us by reason of the land and of the existing heir of the aforesaid Thomas who held from us in chief for the barony in our hands, we command that without delay you place the aforesaid manor in our hands, and that you keep it in safe custody, so that from the issues thence proceeding you answer at our treasury. For we have commanded our sheriff of Lancaster, that if you should find any resistance in this place, whence you may be the less enabled to place the aforesaid manor in our hands, that then, the posse of the aforesaid county being charged with him, he may repair to the manor in his own person with the aforesaid, and place the same in our hands, and commit it to you in custody as beforesaid: Witness the King at Westminster on the sixth day of May.

[Excerpta è rotulis finium in Turri Londinensi asservatis Henrico Tertio Regi, A.D. 1216, vol. ii, p. 372.]

It does not appear that Peter Greslet, the second son of the late baron, was then rector of Manchester. When his father died, he was simply termed "custos ecclesie de Maincestr," no doubt for the reason explained in the body of the work, lest the rights of the patron should be invaded, and the church be subject to one of the papal provisions.

A friend, however, upon whose accuracy I can rely, informs me, that "Petrus Grelley," as RECTOR OF MANCHESTER, was subsequently witness to two deeds of the dates of the 9th and 12th of Edward the First.

(d) *William de Marchia, rector.*—[See page 67, 83.]

The complaint of Thomas Greslet is stated [page 68], that, while he was under age, William de Marchia had, by usurpation, introduced himself into the church of which he was patron.

In 1292, on the feast after The Conversion of Saint Paul, William de Marchia was elected bishop of Bath and Wells, which, on the 1st of March, had the royal assent, and, on the 19th of the same

month, the temporalities were given up to him. He was consecrated on Whit-Sunday, 1293.

This was a remarkable personage. If the patron of the Manchester church complained of injustice from the hands of William de Marchia, what complaint had not other ecclesiastical foundations to make against him for tenfold more injustice? He was the great precedent whom Henry the Eighth copied. Two centuries and a half previously, he had instructed Edward the First in the mode of replenishing his treasury by pillaging churches and religious houses. Godwin, whose account I shall translate, professes to distrust the charge, in which he stands alone among ecclesiastical writers.

"Upon the death of Burnell, there immediately succeeded William de Marchia, Treasurer of England, who, upon the restoration of the temporalities, is named on the 19th of March, in the 21st of Edward the First. In the archives of our church of Welles I saw several copies of letters, not a few having been written by the king, by the nobles, and prelates, in part to the Pope, but in part to certain cardinals, in which, with such great praises, they exalt the sanctity of this Marchia, tested, as they reckon, by many miracles, as that they might more urgently demand, with many supplications, that he should be inscribed in the catalogue of saints.

"What may seem wonderful to the reader, is what Polydore Virgil, as well as the Westminster [historian], hath delivered regarding him in these words:

"During continuous wars there was a royal treasury at length empty, which evil William de Marchia, the treasurer, himself resolved to cure, even to the detriment of what was not his own. For he had information that there had been money deposited no less in the monasteries than in the churches, which, if he should direct to be seised, he thought that he should do,—certainly not a crime, but a service worth the trouble, particularly if the money should be found acceptable abroad for the use of the people, in the same manner as if all things were common, which, if promptly done, he might thereby supply and furnish money to the soldier. Whereupon the commanders of the military, to whom he had committed the office of perpetrating the sacrilege, the soldiers having been distributed in different places throughout the kingdom, all at once carry to the king whatever money had been hoarded up in sacred places and diligently ferretted out:—the people in the mean time every where complaining because their prince had not thought meet to withhold his hand from money with which sacred edifices were to be renewed. But as the king wanted money, he did not dissimulate."

"So far Polydore. But in whatsoever manner he may judge regarding this matter, there was certainly not wanting to this prince either the mind or the disposition to devise and afterwards to perpetrate an atrocity of this kind, so that there might fall upon any one else the stain of the crime. Yet it is very likely that the reproach of such an infamy, however unjust to one who was not deserving of it, might have excluded him [De Marchia] from the pontifical calendar. He sate about ten years, and is buried in a monument on the south wall of the transept, near the gate in which there is a passage to the cloisters, the same being much adorned with polished stone."

[De Præsulibus Angliæ Comm. per Franciscum Godwinum, 4to, A.D. 1616, p. 427.]

(e) *Walter de Langton, rector of Manchester.*—
[See page 68, 83-4.]

I have collected the following additions relative to the biography of this rector of Manchester.

Walter Langton was born at West Langton, Leicestershire. Both at that place, and at Thorpe Langton, he possessed property, as is shewn in a grant of free warren from Edward the First. He was the nephew of William Langton, dean of York and canon of Lichfield, who was the pope's chaplain and dean of the free chapel of Bruges.

In his advancement we first find him noticed as keeper of the king's wardrobe.

In 1292, during which year he was made rector of Manchester, he was, on the 25th of October, appointed keeper of the great seal:—September 28th, 1295, he became lord treasurer:—February 20th, 1296, he was absent from the king beyond the seas, when, owing to the death of Bishop Rogers, he was chosen to the see of Lichfield; in the June following, he was confirmed by the archbishop; in the next month he was admitted by the king to the temporalities; and on the 22nd of December ensuing, was consecrated at Cambrai, by the cardinal, bishop of Albani. Having been in much favour with Edward the First, he was continued in the treasury after he was bishop, and, until the year 1299, even held the benefice of Manchester, which he then resigned to Otto de Grandisone.

Walter Langton was a munificent churchman. He commenced the Lady's Chapel at Lichfield;—he made a sumptuous shrine for Saint Chad at the expense of £2000;—and he built the gate at the west end of the cathedral.

But we may now advert to the misfortunes which embittered the concluding days of the bishop.

He incurred the displeasure of Prince Edward (afterwards Edward the Second), by reproving him

for his extravagances, who not only in revenge broke down the pales of the bishop's deer park, but accused him of crimes to the pope, and made sore complaints of him to the king. Imprisonment for some days, a citation to Rome, and the loss of his see followed. But, through the mediation of the archbishop of Canterbury, the bishop was eventually restored to favour both with the king and the sovereign pontiff.

In 1307 Edward the First died, when Langton, who, upon the occasion of his sovereign's coronation and marriage, had preached in the king's hall, was ordered by Edward the Second to conduct the remains from the borders of Scotland; but, upon the royal funeral reaching London, he was seized by the constable of the Tower, on some capricious charge, and thrown into prison. The bishop was afterwards tried and pronounced not guilty, and on the king still retaining him in prison, a synod of the clergy met, and insisted upon his release, as well as upon the restoration of his goods,—which was granted.

Afterwards on the trial of Gavestone, who, on account of a reproof which he had formerly given this royal favourite for encouraging the prince in his extravagances, had been his bitterest enemy, he had the conscience to refuse joining the king and nobles against him, for which he was excommunicated by the archbishop of Canterbury, but absolved by the pope.

In 1312 the king once more made Langton his treasurer, and restored him to his diocese.

On the 16th of November, 1321, he died at London, and, in the chapel of the blessed Mary built by him at Lichfield, was buried under a sumptuous monument. He had sate in the see of Lichfield nearly twenty-five years.—[See Shaw's Staffordshire, vol. i, p. 268, and Godwin ut supra, p. 373.]

(f) *Otto de Grandisone, rector.*—[See page 69.]

I am informed, by the friend to whom I have alluded, that there is an entry in the Lichfield registry of this rector to the following effect:—

14 Kal December 1299 Otto de Grandi' sono instituted by John Grifyn de Grandi' sono his proxy on the presentation of the king.

Upon farther consideration, I have discovered that the genealogy of the Grandisons, as submitted in page 70, is in the highest degree unsatisfactory.

Otto de Grandison, rector of Manchester, could not have been the son of William de Grandison, once the menial of the duke of Lancaster. I would rather suspect him to have been the son of Otto, the elder brother of the said William, who attended Prince Edward to the Holy Land, and is said, perhaps incorrectly, to have died without

issue. Supposing this to have been the case, as Otto de Grandison, the rector, was in holy orders, he could not, upon the demise of his father, have succeeded to the barony of Grandison, which, in consequence, would be conferred on a younger brother of the baron, William, then in the suit of the duke of Lancaster, who would be uncle of the rector. This William de Grandison had also a son named Otto, who, however, was an active and distinguished soldier, rather than a priest.—[See Burke's Extinct Peerage, p. 227.]

(g) *Galfridus de Stoke. Was he rector and dean rural?*—[See page 76.]

Since I attached this query to the name of Galfridus de Stoke, I am enabled, through the kindness of my friend, to make a reply. In the Lichfield registry there is certainly an entry to this effect:—

15th Kal April 1306 Galfridus de Stokes Clerk instituted on the presentation of Thomas de Grellie.

Hollinworth has given to this institution the wrong date of 1301 instead of 1306, which, in my labours some years ago, puzzled me grievously.

The Holmeses leave out the entry altogether. No doubt it had escaped their notice.

About the time, when Galfridus de Stoke was rector of Manchester, there was a dean rural of the name of Galfridus, whom I have suspected to have been one and the same individual.

Of the family of Stokes I am ignorant. In the Coucher Book of Whalley (vol. i, p. 273) there is a Robert del Stokk living in the time of Edward the First.

(h) *John de Verdon, rector.*—[See page 88.]

The name of this rector is also found among the registries of Lichfield, which is not Dekirden as the Holmeses read it, nor yet De Vorden, but (as I suspected), De Verdon. He appears to have been of the same name as that of the benefactors of Crokesden Abbey, in the county of Stafford.—[See Collect. Geneal., vol. iv, p. 391.]

The entry at Lichfield is to the following effect:—

9 Kal. Feb 1313. John Deuerdon, Presbyter on the presentation of Sir John la Ware Knight.

(i) *Adam de Southwick, rector.*—[See page 94.]

This name is likewise still to be found in the Lichfield registry:—

4 Id. Oct. 1323 Adam de Suthwyk, Clerk, on the presentation of Sir John la Ware, Knight on the cession of John de Verdon.

My correspondent adds, that De Verdon ac-

cepted the deanery of Saint Paul's;—he believes, in exchange.

(k) *John de Claydon, rector.*—[See page 96.]

I am informed that in the Lichfield registry the entry is as follows:—

9 Kal Sep 1327 John de Claydon Presbyter on the presentation of Sir John la Ware Knight on the death of Adam Suthwyk the last rector.

The Holmeses, however, make additions to this entry.—[See page 96.]

(l) *Thomas de Wyke, rector.*—[See page 105.]

The present Lichfield register is to the following effect:—

12 Kal, Sep 1351, Thomas de Wyke, chaplain, on the presentation of Dame Joan, who was the wife of Sir John de Warre, on the death of John de Claydon the last rector.

This rector, accused like his predecessors of having been engaged in secular employment, generally of the patron, was, as I have stated, very active in civil processes of law. Upon an occasion when John la Warre made a claim of the view of frank pledge and other liberties (including the tumbrel, &c., &c.) in the manor of Wakerley, which had formerly belonged to Thomas Greslet, it is stated: "Et Johannes per Thomam de Wyke attornatum suum venit et dicit quod predictum manerium de Wakerle ad quod predictae libertates pertinent quondam fuit in seisinam cujusdam Thome de Grelle" &c. &c.—[Placita de quo warranto for Northamptonshire, p. 541, Temp. Edw. I, II, and III.]

It was in the time of Thomas de Wyke that Wycliffe first taught, whose doctrines possessed great influence over the ecclesiastical state of Lancashire. In estimating them, it is possible that I might, in a few instances, have been at fault; as, for instance, in regard to the reformer's views of the Eucharist, which first excited the indignation of John of Gaunt.—[See page 118.] At first, Wycliffe was inclined to a figurative explanation of the sacrament; but, eventually, his opinion became less wavering. While he denied transubstantiation, he distinctly asserted the real presence.—[See my quotation from Tierney given in page 120, and Apology for the Lollards, Introduction, p. xxxiv, and p. 118.]

(m) *Thomas la Warre, rector.*—[See page 105.]

It is remarkable that the name of this last rector of Manchester does not occur among the Lichfield registeries, nor is it to be found in the transcripts made by the Holmeses.

The era of Thomas la Warre was, as I have observed, that of Lollardism, the great leaders of

which were Sir Louis Clifford and Sir Thomas Latimer, relatives of the baron of Manchester.

The view which I have taken of the movement of this eventful period is not that of any party writer whatever. I have been taught, from high authorities, that it is not from historical events alone, but from an investigation of the desires or wants, which, in a chain of causes, arise in the human mind at successive epochs, that we must form our judgment of the religious movement of any given period. The ideas which are thus spontaneously generated, have been far too frequently supposed to derive their origin from some adventitious circumstances in which a nation might have found itself placed. But this is an opinion, the fallacy of which must strike every one who has reflected on the incidents of the reign of Henry the Eighth. The sentiments with which a whole people are impressed at any given period, arise, on the contrary, by a sort of fatalism, and, in the activity of their development, we read the origin and circumstances of the political and religious changes which follow.

Nor is the order in which such ideas are generated, deep as they lie within the recesses of the human soul, entirely veiled from our comprehension. Speculations, regarding this order of development, have been hazarded by Victor Cousin in his "Philosophy of History," and by his successor in the chair of moral philosophy, the late M. Jouffroy, whose discourses "Du Droit Naturel,"—"Du Bien et du Mal,"—"Du Probleme de la Destinée Humaine,"—and "Comment les Dogmes Finissent," cannot be too carefully studied. In the course of my labours, especially when treating of the era of Wycliffe, I have more or less availed myself of the doctrines inculcated by these great investigators of the springs of human actions, manifested to us in the form of national wants. These wants arise spontaneously, and fatally induce the different phases which society, during the progress of civilization, is doomed to undergo.

§ 3. THE RECTORS OF ASHTON.

The names of these rectors, taken from Vernon's extracts, are as follows:—

A.D.	NAMES.	PAGE.
1305.	Nicholas de Arderna	77
—?	Adamus de Ardena	95
1324.	Symon de Barnesley.....	95
1351.	Thomas de Rodeford	105
1362.	Thomas, son of Thomas del Wyke	109
1371.	Thomas la Warre.....	111
1373.	Jo. de Marchford.....	112
1374.	Henry Nettleworth	112

I have no additional remarks to offer on this list

except that the entry of John de Marchford [see page 112] is said to be as follows:—

1 Nov 1373 Johannes de Marcheford instituted to the Rectory of Ashton under lyne per resignationem magistri Thome la Warre ultimi rectoris. John la Warre Patronus.

§ 4. THE CHAPLAINS AND OTHER CLERKS OF MANCHESTER.

The chaplains whose names transpire in the course of these researches may now be collected, and, in addition to these, others have occurred, which are inserted in italics:—

A.D. 1166-82(?).	<i>Richard</i> , chaplain of Albert Greslet [<i>Juvenis</i> ?]	
	<i>Robert</i> , chaplain of Maincestre ...	
	<i>Jurdanus</i> , clerk of the same vill	
1227 (?).	<i>Aca</i> , incumbent of Saint Matthew's, or Grelle's Chantry ...	39
1235.	Jurdan, Capellanus	52
1306.	Capellanus, Galfridi de Manchester (perhaps a sub-dean).....	76
1315.	<i>John de Leia</i> , clerk.....	
1316.	John de Ardena ... }	88
	Hugh de Mylnegates }	
1342.	Richard of the Mylne-gate	
	Richard Braybon ...	Chaplains. 100
	Adam Longholt	
	Robert Bibby	
	John de Battersby ...	
1361-5.	Galfridus de Bexwyk }	109
	Roger de Mamcestr ... }	
	Willielmus clericus de Bexwyck...	109
Without date(?).	John Fawkes.....	123
About 1405.	Roger de Mamcestr }	

Upon this list I have not many additional remarks to make.

(a) *Chaplains of the time of Albert Greslet* [*Juvenis*?]—[See page 21.]

In the Coucher Book, or chartulary of Whalley Abbey, published under the very able editorship of W. A. Hulton, Esq. [vol. i, p. 40], is a gift of a fourth part of the church of Eccles by Albert Greslet to William, clerk of Eccles. Among the witnesses to this deed, are Richard, the chaplain of the same Albert, Gilbert a chaplain, Robert, chaplain of Maincestre, Jurdanus, clerk of the same vill, and others.

(b) *John de Leia*, a clerk (?).

I find from Baines's Lancashire [vol. iv, p. 825], that, about the 9th of Edward the Second (1315-6), a John de Leia, clerk, is mentioned in a Manchester deed without date. But it is not quite evident that he was a chaplain of Manchester, although most probably so.—[See Baines's Lancashire, vol. iv, p. 825.]

(c) 1361-5. *Galfridus de Bexwyke*, clerk.

[See page 109.]

This is one of the earliest occasions upon which the honoured name of Bexwyke, eminent among the families who were benefactors of Manchester, meets with mention;—for which reason some little account of his descent may be appended.

In the 35th of Edward the Third (1362-3), there was living a Galfridus de Bexwyke, who was wedded to a daughter of Thurstan Holland de Denton. The issue of this marriage was a Thurstan de Bexwyke, also living in the same year, as well as Galfrid de Bexwyke, clerk, whose name likewise occurs in a deed of the 38th of Edward the Third.

In the 6th year of Henry the Fourth (1404-5), we likewise find a Richard de Bexwicke, clerk, attesting a deed at Middleton. It does not appear that he was a chaplain of Manchester, but perhaps of some neighbouring church. He was probably a younger son of Thurstan de Bexwyke;—but the exact relationship does not transpire.

CHAPTER IV.

REMARKS ON THE DOCUMENTS RELATIVE TO THE COLLEGIATING OF THE ANCIENT PARISH CHURCH OF MANCHESTER.

The date of these documents is from 1421 to 1423. They are given in the following general order:—

	PAGE.
1. The royal license of foundation.....	143
2. The consent of the parishioners of Manchester to the foundation...	150
3. The charter of foundation.....	153
4. The confirmations of the charter by various interests.....	169 et seq.
5. The deeds of infeftment to the college	170 et seq.

§ 1. STATE OF THE DOCUMENTS.

These documents are from 1421-3. They have their words written in the most abbreviated form, compared with which the later charters of Mary, Elizabeth, and Charles the First, sink into insignificance. But the difficulty of interpretation therein arising would have been little formidable, except for the faded state of some portion of the documents, by which, from time and friction, they are occasionally rendered almost illegible. This is particularly the case in the petition of the parishioners of Manchester to the bishop of Lichfield, and

in too great a share of the lengthy charter of foundation. Owing to this co-operation of causes, nothing more than fragments of the voluminous deeds connected with the foundation of the Manchester college, have hitherto been deciphered and published.

How far I have myself succeeded, may be dubious. Although no time nor labour have been spared to present the documents in a correct state, I am still by no means satisfied with what has been achieved. It had ever been my intention from the time when I was advised that English translations would be acceptable, to complete this task as literally as possible, so that in the course of my labour, I might the better detect any abbreviated or faded words to which I might have given incorrect interpretations, preparatory to the final, or ultimate reference which I had intended to make to the manuscripts themselves, in resolution of any doubts or difficulties.

But this opportunity of consultation and revision I was not entitled to possess. Party disputes in the parish of Manchester had commenced, and the muniment chest of the college was considered as closed.

Yet in justice to the chapter house, from the members of whom I have to ever acknowledge the most gentlemanly and unostentatious kindness, I would add my firm conviction, that if I could have been induced to make a request for a final revision of my transcripts, it would not have been refused me.

In the meanwhile,—should health and life be spared me,—I wait for happier circumstances to include in my second book, or “*livraison*,” any errata which may appear, upon a closing reference being made to the original documents.

I must, however, decidedly state, that I am not aware of any mistakes into which I may have fallen of so serious an amount, as to affect the general sense of any clause whatever of the documents now published.

§ 2. MODE OF PRINTING THE DOCUMENTS.

Regarding the mode in which the documents are printed, four forms presented themselves to me for my choice:—

The first was to print the documents *verbatim et literatim*, with all their marks of abbreviation,—a plan adopted in certain of the parliamentary records edited by the Reverend Joseph Hunter, and in which the late Mr. Hodgson has well succeeded in his history of Northumberland,—a plan also made instrumental to the striking fidelity with which the Banatyne and Maitland clubs of

Scotland have printed various chartularies. This mode has in Manchester been lately adopted by Mr. Wheeler in his publication of the charter of Charles the First. The objection, however, on the present occasion, is the far greater variety of “*Doomsday type*” required in printing documents of the fifteenth than of the seventeenth century, and the corresponding expense of the same,—an expense which is scarcely justified by the few charters given in the present work.

A second mode was to print the documents after the perspicuous manner adopted by Mr. Hulton in editing the “*Coucher Book of Whalley*,” wherein a limited number only of the abbreviating marks are retained, yet where the ancient orthography is preserved.

A third mode was to print the words without any contractions or marks of abbreviation whatever, yet in point of orthography to preserve the archaic form, as for instance, in avoiding the use of diphthongs, in the frequent substitution of *c* for *t*, &c., &c. This is the plan adopted by the Archaeological Society of Dublin, to which, notwithstanding my greater partiality to the first mentioned plan, I have for various reasons given a preference in this work.

While a fourth plan was to modernize all the words, agreeably to the orthography of the present day used in printing latin authors.

Each mode has no doubt its particular recommendation.

§ 3. THE TRANSLATIONS RENDERED.

With regard to the translations rendered, I have been as literal as documents of the fifteenth century, remarkable for the complication of their structure, would allow me. For, from some cause or other, hitherto unexplained, this complication of structure rapidly disappears in deeds a century later, of the date of Henry the Eighth.

I may have the most erred from my ignorance of the technicalities of many English law terms, and the deprivation which I have sustained by the long sickness of a near friend, whom I have formerly consulted on such occasions.

In short, the whole of my labour, whether in copying or translating, I have subjected to a severe process of investigation. Richard Hadelsay, clerk of York [see page 166], was unquestionably a man of more than common erudition, familiar with the most approved formulas of chartularies then in use both in England and on the continent, to which the verbose, conceited, and otherwise ill written confirmation deeds of David Pryce, archdeacon of Chester [see page 168 and 177], may present a striking contrast.

§ 4. THE WORKS CONSULTED.

In copying and translating these various documents, I have spared no possible pains to render them intelligible. It would be superfluous, and even pedantic, to enumerate the divers sources of information to which I have resorted whenever I was doubtful of the sense, or true meaning of the manuscripts, but I may perhaps be allowed to mention, that, *inter alia*, I have derived the most valuable aid from the volumes of the late Mr. Hodgson's history of Northumberland, where there is a perfect profusion of chartularies, which are rendered doubly instructive by the conservation in all the words of marks of abbreviation, aided by an admirable key illustrating their various powers;—and, in the second place, from the rare, splendid, and costly *Lexicon diplomaticum* of Walther, published at Ulm in 1756, of which I fortunately possess a copy.

Nor have Ducange, Carpentier, Schilter, or Wachter, particularly the two first mentioned authors, been less consulted. With the aid of these lexicographers, as well as that of various other writers, it had been my intention to have added a short glossary;—but, until I have a better confidence in the fidelity of every word published in my transcripts, such a glossary may be conveniently postponed.

§ 5. NOTES ON A FEW OF THE TERMS OCCURRING IN THE DOCUMENTS.

On the present occasion I have little to add, in the form of additions or corrections, to the publication of the documents connected with the colliating of the parish church of Manchester.

(1.) THOMAS LA WARRE, DEFORCIANTEM, ETC.

See the Royal License of Foundation, page 146, first column, and in the sixth MS. line.

This obsolete English law term, "deforcians" (still, I believe, used in Scotland), occurs in an abbreviated form in a sentence of very complex structure. It has thus given rise to a false reading, which I have corrected in the present copy and translation; but not before I had fallen into the error of my predecessors in speaking of "deforcing a levy" [see page 125],—a term unknown in ancient law deeds.

(2.) COMMVOENTES.

This word occurs in the second column of page 154, and in the twenty-second line.

But whether the word is really "commvoentes," or not, I may be allowed to express some little doubt. In my first reading and copying of the word (whatever it might be), I had assuredly made a blunder. I then altered it into "commvoentes," from the indications afforded me by the forms of certain of the letters. This word I have translated into "removing," or diverting. But whatever the letters may actually be, no possible objection can attach to the general meaning which I have given, sanctioned as it is by the import of the context.

(3.) IN FORMA JURIS JURATIS.

Occurring in page 161, first column, and sixty-ninth MS. line.

The phrase means simply *being sworn in the form of law*. But as I believed a jury was actually created to try the allegation of ancient abuses having been committed by patrons and rectors, on the strength of divers writings, muniments, &c.,—I too easily chimed in with the notion, and translated the phrase *being sworn in the form of a jury*.—But after all, did I really misrepresent the idea intended to be conveyed?

(4.) "THE CONVENTION OR CHAPTER," ETC.

See my translation of the word *conventus* in page 169, second column, eighth line.

If I avoided using the word "convent," or "covent," as old writers would say,—it is because *conventus* was, in this instance, made synonymous with a capitial body or chapter, whence the term *convention* was rather suggested.

(5.) THE BULL OKE.

The occurrence of this English word [see page 171 and the first line of page 172] reminds us of an amusing discussion which took place a few years ago among the Dryasdusts of Cheshire and Lancashire, relative to the origin of the term "Bullocksmithy,"—the name of a manufacturing town adjoining Stockport.

The opinion generally entertained was, that the name had its derivation from a smithy for bullocks!!! But who, in the name of wonder, ever heard of a smithy for bullocks? The gentry proposed, therefore, to change the unaristocratical name of their ancient town for some such romantic term as "Hazel Grove."

But Thomas la Warre's infestment of lands near "The Bull Oke," opposite the north gate of Manchester church, solves all the difficulty. Bullocksmithy means nothing more than *the smithy hard by the bull-oak*.—[See page 170, where the Manchester Bull Oke is explained.]

If the "Hazel Grove" authorities had merely preserved the name of "The BULL OAK," or had contented themselves with THE OAK without THE BULL, naming their site simply OAKTOWN or OAKVILL (for there is an Oakham in Rutland), they would at least have been faithful to nomenclature as well as to history,—regarding which there can be "no mistake!"

(6.) OSTIUM.—[SEE PAGE 171, FIRST COLUMN AND SEVENTH MS. LINE.]

I am not certain if the word should not have been *portam*. As I have explained, the details of Thomas la Warre's grant are repeated in two subsequent deeds.—[See page 174 and 176.] In the two later ones, the word is certainly *ostium*.

(7.) FORERE.

A puzzling word is FORERE,—a technical expression applied to a certain piece of land, named "The Acres," near a certain highway leading to Old Trafford.—[See the first column of page 171, and the thirty-fourth line; also page 172, second column, twenty-sixth line.]—"In oppositum cujusdam forere dicti campi vocati les accres," &c. *i.e.*, opposite to a certain forere [headland] of the said field, called les Accres, &c.

In translating *forere*, *headland*, I attached to the word a Saxon signification, such as we find in the word *fore-munt*, a projecting mount or promontory. Hence I conceived, that forere might mean "headland,"—a term occurring in ancient deeds, and applied to the upper part

of such arable ground as was left (among other uses) for the turning of the plough. This "headland" was often a space of no little extent. When there existed comparatively few fences or hedges in England, and when a tract of land was liable to be tilled after the Scottish manner of "runrig," by many small tenants conjointly, who would introduce at one and the same time a squadron of yoked oxen and bullocks into the arable land, a large vacant space of ground was not only devoted to the turning of the numerous ploughs simultaneously going on,—as, for instance, on Plough Monday,—but likewise for the occasional pasturage of the beasts thus employed, while resting, at intervals, from their severe drudgery:—the correctness of which description may be illustrated by many ancient paintings, drawings, or prints.

Ducange, however, has shewn that the word "foraria," or "forreria," had a very different meaning,—importing "officium forerarii seu metatoris hospitiorum." As it was difficult, if not impossible, to attach this meaning to the Manchester "forere," I consequently took refuge in a Saxon etymology.

But Carpentier, as I have since discovered, while he admits the correctness of Ducange's explanation in reference to the quotations actually cited by him, states that the obsolete French word "foriere" had still another meaning, namely, to indicate *pasture land*,—in proof of which he cites the following, from a charter of 1296:—"Item — quinque solidos super foreria bubulcorum;"—a second from a chartulary of 1245:—"une foriere de pré;"—and a third from one of 1306:—"chiunc journeus, ou la entour: que de fries, que de Forieres, ke de terres, que de voies."—[Carp. in voce Foreria.]

After these citations, the reader may suit his own taste and inclination, either by adopting a Saxon or an Anglo-Norman meaning to the Manchester "Forere,"—situated near "The Highway to Old Trafford," and leading to the present Hulme fields. It may also be asked,—if, by the term "foreria bubulcorum," cited by Carpentier, the old Saxon headland might not have been implied?

favour of the descendants of his half sister, Joanna, who had married Thomas, the third Baron West.—[See page 125.]

The true heir, however, of Thomas, Lord la Warre, was to be sought for among the descendants of Catherine, daughter of John la Warre,—which John had predeceased his father of the same name, who was the ninth baron of Manchester.—[See pages 99 and 125.]

The said Catherine la Warre had married Sir Warine Latimer, of Braybroke, by whom she had three sons, John, Thomas, and Edward, who severally died without issue, and, along with them, a daughter, Elizabeth, wedded to Sir Thomas Griffin,—the heir of which union was Richard Griffin, who married Ann, daughter of Richard Chamberlain, Esq., leaving issue—

(a) John Griffin, Esq., heir to his great uncle, the Lord Latimer, and heir general of the lands of Thomas la Warre. He died *sine prole*.

(b) Sir Nicholas Griffin, of Braybroke; married to Catherine, daughter of John Curson, Esq., who was served heir to his brother John.

But we are informed, that in the 6th of Henry the Sixth, Sir Nicholas Griffin, then thirty-eight years of age, executed a release of the lands held by Thomas la Warre, whence Sir Reginald, the fifth Baron West, became incontestable heir to the estates of the barony of Manchester.

The family of West thus succeeded to the Greslets and the La Warres.

After this explanation, I shall describe certain events which occurred during the baronial sway of the Wests, connected with the foundation of the college.

CHAPTER V.

CERTAIN EVENTS CONNECTED WITH THE FOUNDATION OF THE COLLEGE, SUBSEQUENT TO THE DEMISE OF THOMAS, LORD LA WARRE.

Under a distinct chapter I propose to include certain events occurring subsequent to the demise of Thomas, Lord la Warre, which associate themselves with the history of the first foundation of the college, rather than with the annals of the wardens thereof.

These are referable to the period when the Wests held the barony of Manchester,—when the civic interests of the town were ruled by a new race of lords, whose influence, however, owing to various causes, was evidently on the decline.

Of this new race a very brief notice is all which is at present necessary.

It has been shewn that one of the Griffin family having been the heir general of the lands of Thomas, Lord la Warre, this lord had levied a fine in

§ 1. CONCLUDING NOTICES OF CARDINAL LANGLEY (BISHOP OF DURHAM), WHO AIDED IN THE FOUNDATION OF THE COLLEGE.

Before this history is brought to a close, it would be unpardonable to lose sight of a personage to whom the religious interests of Manchester became so much indebted.

On the death of Henry the Fifth (1422), Cardinal Langley was appointed feoffee of the king's will. Soon afterwards, at the request of the parliament, he resumed the seals.

This very munificent churchman was a great favourer of learning. He is recorded to have been one of the first poets of his age. His epigrams were inscribed to the bishop of Norwich, and have been republished with commentaries by Blake. He wrote a book "De Variis Carminibus," as well as several works on pontifical law and jurisprudence. The public encouragement which he

gave to learning is extraordinary. He founded two schools at the Palace Green of Durham,—the one for grammar, and the other for plain song. Amidst the legacies which he left to various public libraries, as at Oxford, Cambridge, Durham, Leicester, and York, it is added that the college of Manchester received from him a donation of books. He died November 20th, 1437, and was buried at Durham within his own chantry in the Galilee.

§ 2. NOTICE OF WILLIAM HEI WORTH, BISHOP OF LICHFIELD, WHO SANCTIONED THE ERECTION OF THE COLLEGE OF MANCHESTER.

William Heiworth, bishop of Lichfield, was another signal promoter of the college of Manchester. This prelate will ever be commemorated in the annals of Lichfield, for the bequests which he made for the support of the indigent, and for his contributions to the improvements of the beautiful cathedral of this city. He died in the year 1446.

§ 3. THE BEQUESTS OF WHICH THOMAS LA WARRE'S FOUNDATION WAS THE FORERUNNER.

In the second book, or memoir, of this supplementary volume, it will be pointed out, that other munificent bequests succeeded to the endowments of Thomas, Lord la Warre, as, for instance, the munificent sums expended towards the erection of a new collegiate church and other buildings, and the foundations of six chauntries, in addition to the one or two which had previously existed.

In the year 1527 (as will be shewn hereafter), the staff of collegiate functionaries was formally declared to consist of ONE WARDEN, EIGHT VICARS, FOUR DEACONS, SIX CHORISTERS, TWO PARISH

CLERKS—[that is, real clerks, or clergymen, who assisted the officiating priest,—see Hook in voce Clerk], and ONE BELLMAN!

§ 4. CONCLUSION.

But it is now time to draw to a conclusion.

While investigating the history of the ancient parish church of Manchester, the question has, I trust, been answered, "Why was it collegiated?"

But a reply could not have been given, if I had not mingled with ecclesiastical annals so much of the civil history of the locality as relates to the barons, who were the ancient patrons of the church of Manchester, and to the charters conceded to an impatient and dissatisfied population, consisting of the various grades of villeins, bondage tenants, and yeomen, who sought to exchange their feudal restraints for the free occupation of burgage tenements, whereby the fruits of their commercial industry might be secured to them unfettered by feudal impositions,—and where they might choose their own magistrates, and be governed by a just and salutary system of municipal laws. Under the influence of such civil reforms, by means of which the population of the parish had greatly increased, still newer wants of the human mind sprang up, which were less of a worldly than of a spiritual nature and complexion. The rectors of Manchester, instead of administering to Divine worship and to the cure of souls, were employed in secular affairs, either of the state, or of their patrons,—the temporalities of the benefice thus abused by them, having been diverted from their original use and destination. This great evil was sought to be remedied by collegiating the destitute and hitherto neglected parish church of Manchester.

That the college, thus formed, may ever continue a blessing to the community of Manchester, is the sincere prayer of the Author.

NOTICE.

IT is my object (under the head of a notice) to express the obligations which I have been under to various individuals.

In this history,—by the aid of such an accession of inedited documents as have rendered it advisable that the earlier portion of the former published history should be written over again,—the Parish Church of Manchester has been traced from the period of its original Saxon endowment, to the time when, by a later benefactor, Thomas la Warre, it was farther gifted and collegiate. In elucidating this change of constitution by copies and translations of numerous deeds, &c., existing within the muniment chest of the Chapter House, it is evident from my Preface, that, so long as ten years ago, I had to acknowledge the aid which I derived from THE REVEREND CANON WRAY, who was the first means of rendering these stores of information accessible to me.

And with no less gratitude would I speak of the services rendered to me by CANON PARKINSON; but as these relate to the newer charters granted to the College, and to later documents in his private possession, they connect themselves with the second, rather than with the first portion, or livraison, of this supplementary history. I shall, therefore, reserve my acknowledgments to this gentleman (and these are for favours of no ordinary amount), until I shall have printed my NOTES AND ADDITIONS TO THE HISTORY OF THE WARDENS OF MANCHESTER.

And in a corresponding manner would I express myself of the REV. F. R. RAINES, M.A., of Milnrow Parsonage, Rochdale, who will, however, see that even in the present memoir I have not neglected to avail myself of some few of the numerous contributions which he has sent me, intended to be published hereafter.

The names of other gentlemen, to whom I have felt indebted, are

GEORGE ORMEROD, Esq., LL.D., F.R.S., &c., of Sedbury Park, Gloucestershire, the historian of Cheshire. His most liberal contributions will be found everywhere interspersed throughout the work, and in page 189 they are particularly specified:—

MR. HARLAND, who has ably edited extracts from the municipal documents in the possession of the Mayor and Corporation of Manchester. His public labours I have explained in page 187;—

And an old and most valued antiquarian friend, CAPTAIN EDWARD JONES, of the Royal Lancaster Militia.

To this list I wish that I were permitted to add the name of a very kind correspondent, to whose disinterested communications I feel an obligation of no common kind.

Throughout the work there are numerous wood cuts, the drawings of which I owe to the young artists of my own family, who, I believe, have executed them with strict fidelity. The three seals of the great charter of foundation, figured in pages 165, 169, and 178, are from drawings made by a late lamented daughter, at the time when this important document was intrusted to me while residing at York. All the other drawings of seals and relics are by my son, Mr. R. G. Hibbert-Ware, of Queen's College, Cambridge,—the large sketch of the Cave of Ordeshal alone excepted, which, as I have explained [see page 17*], was by another member of my family, my eldest son.

That this history has not been drawn up without a consultation of every book and manuscript within my reach calculated to throw light upon it, will be evident by the numerous references which are given. Yet it would be doing an injustice to at least two authors, if I did not allude to them in a more particular manner.

Of these, is the learned author of the "*Histoire de la Civilisation en France*." The enlightened views which GUIZOT has taken of the civil and ecclesiastical state of western Europe during chivalric and feudal times, have more or less influenced me in the colouring or version which I have given to many of the baronial, municipal, or parochial incidents of this local history. I have adverted to this

author on numerous occasions, and, perhaps, in one or two instances, may have detected myself inadvertently adopting his views without due acknowledgment,—as, for instance, when alluding, in page 25, to the moral cause which led to the spirit of crusading.—But it is never too late to acknowledge an omission.

There is again another recent author who has imparted me information not to be surpassed by any other writer:—I allude to THE REVEREND M. A. TIERNEY, in his republication of Dodd's "Roman Catholic History of England," not yet completed. Of Dodd's work I would express no opinion. The value of the volumes now in the course of publication attaches itself to Mr. Tierney's copious notes and addenda. The information which he has collected, alike from Roman Catholic and Protestant writers, from State documents, and from inedited manuscripts, is immense, and not to be found in any other ecclesiastical history with which I am acquainted. Nor is it the least of Mr. Tierney's recommendations to myself, that a more honest chronicler of ecclesiastical events, even where neutrality is least to be expected, it has never been my happiness to consult. In no instance does he appear to have compromised his own tenets; yet he has never once been induced to spare even his own communion, whenever it has been found to lend itself, during turbulent times, to the purposes of injustice, intolerance, or persecution. In every page his comments point to the great truth, that charity and forbearance are essential to the healthy state of all communities whatsoever of the Faithful in Christ.

It, lastly, behoves me to say a few words regarding the occasional information which has transpired within these few months, in the course of the paper war now carried on, relative to the sense in which certain provisions of the last, and even preceding charters of the College, ought to be understood.

While I deeply lament the circumstances under which the dispute is now carried on, it is impossible but to admire the extent of learning and research exhibited by combatants on both sides,—reminding us of the good old polemical era of Elizabeth, James the First, or Queen Anne, except that the present dispute is carried on with a moderation of temper unknown to the zealots of the olden time.

These discussions have appeared either in the pages of the *Manchester Courier* and *Manchester Guardian*, or in the separate form of pamphlets. Among the authors may be particularly enumerated—

HUNTER GORDON, Esq., of Lincoln's Inn;

The Author of a "Reply of the Association for Promoting a Reform in the Ecclesiastical Provision for the Parish of Manchester," &c.;

THOMAS TURNER, Esq., Barrister-at-Law, of Saint Leonards, Sussex; and

THOMAS WHEELER, Esq., S.C.L., Barrister-at-Law, the editor and translator of the Foundation Charter of the College by Charles the First.

Of the historical information thus conveyed, I shall on every suitable occasion hereafter avail myself. But with regard to the subject itself of discussion, I have determined, for obvious reasons, as explained in my Preface, to observe the strictest neutrality. This history, to the rejection of the real question in dispute, will close with the demise of DR. HERBERT; with the induction of his worthy successor in the office of Dean; and with the elevation of Manchester to the rank of an Episcopal See.

S. H. W.

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